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LECTURES  
ON THE  
HISTORY  
OF  
ROME  
—  
NIEBUHR

James M. Culbertson  
Millerton, New York  
Sharon Rd.







LECTURES  
ON THE  
HISTORY OF ROME.





LECTURES  
ON THE  
HISTORY OF ROME

FROM  
THE EARLIEST TIMES TO THE FALL OF THE  
WESTERN EMPIRE

BY  
*authd*  
*Gang*  
B. G. NIEBUHR.

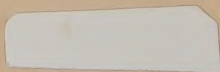
EDITED BY  
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*Principal of the London International College.*

FIFTH EDITION.

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FEB 10

TO HIS MAJESTY

FREDERIC WILLIAM IV.,

KING OF PRUSSIA,

THE MOST ILLUSTRIOUS PUPIL OF NIEBUHR,

THE GENUINE AND MUNIFICENT ADMIRER OF HIS MERITS,

*This Work*

IS MOST RESPECTFULLY DEDICATED

BY

THE EDITOR.



## ADVERTISEMENT TO THE THIRD EDITION.

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THE present edition is virtually a reprint of the second, with only a few verbal alterations which do not affect the sense. The only important difference is, that the Lectures now appear in their natural order in which they were delivered by their author, beginning with the discussions on the sources of Roman History, and carrying the history from the earliest times down to the fall of the Western Empire.

L. S.

LONDON :

*December, 1869.*





## PREFACE TO THE FIRST EDITION.

---

UPWARDS of thirteen years have now elapsed since the death of Niebuhr, and none of the many courses of lectures delivered by him have yet been published. It must, at first sight, appear strange that those lectures, which, as far as their intrinsic merits and their suggestive nature are concerned, cannot easily be surpassed, should so long have been neglected by Niebuhr's countrymen; and it will probably appear still more strange that the first attempt to rescue these precious relics is made in this country. But there are circumstances which will account for this apparent neglect of a man, whose opinions on subjects of ancient history must be of the highest interest to every scholar. The main cause is the *pietas* which Niebuhr's pupils feel for their great master, and which has deterred them from publishing anything that might possibly place him before the public in an unfair light. This apprehension arises from the condition of the notes which were taken by his pupils in the lecture-room, and which are the only materials out of which the lectures can be reconstructed, for Niebuhr himself never committed them to paper. The difficulty of casting these confused, fragmentary, and sometimes unintelligible, notes into a proper and intelligible form is indeed so great, that this of itself would be sufficient to deter any one from undertaking a task which is far more irksome than that of producing an original work, and the result of which, however carefully it may be performed, cannot fail to be far indeed from completely satisfactory.

It is not indifference therefore on the part of Niebuhr's pupils that has so long delayed the publication of any of his courses of lectures, but simply anxiety to do justice to his memory, and the difficulties which present themselves at almost every step. The anxiety to be just towards Niebuhr has gone so far indeed, that when I applied to one of his most eminent pupils to undertake the publication of the lectures on Roman history, or at least to give me his assistance, if he declined the task, he declared that no one ought to venture upon such an undertaking, unless he felt that he could accomplish it in the manner in which Niebuhr himself would have done it, if the thought of publishing his lectures had occurred to him. Honourable as this feeling is, still, if we were to wait till any of Niebuhr's pupils could, without presumption, say that he was equal to his master, the lectures would, in all probability, remain buried for ever. I am as anxious as any one to do justice to Niebuhr; but although I am very far from believing that I have attained that competency which my late fellow-student

regards as the *conditio sine qua non*, I have been induced by various favourable circumstances to undertake the task ; and the completion of the work, with all its defects, affords me at least this consolation,—that I have made my best efforts, and that I have spared neither time nor trouble to make the best possible use of my materials, without altering any of Niebuhr's sentiments and opinions. With regard to the difficulties of accomplishing this, I think I may say that I have felt them more strongly than others who have merely looked at, without actually trying to overcome them ; and the reader of the present work will find indications enough of my inability to solve them in all instances. This fact would have deterred me, like other pupils of Niebuhr, from the undertaking, had I not been favoured by circumstances, among which I mention with gratitude the advice, encouragement, and assistance of my distinguished friends, Bishop Thirlwall, the Chevalier Bunsen, the Rev. Philip Smith, and Dr. William Smith.

In order to put the reader in a position fully to understand these preliminary remarks, it will be necessary for me to give some account of the materials I had to work upon, and of the principles I have endeavoured to follow. The notes, upon which the present work is founded, were made in the winter of 1828-29 and the summer of 1829, when Niebuhr gave a course of lectures on the History of Rome in the University of Bonn, the last time that he ever lectured on that subject. His intention was to relate the history of Rome from the earliest times to the downfall of the Western Empire, during the winter course of 1828-29 : but though he delivered five lectures of three-quarters of an hour each, every week, the time devoted to them proved insufficient, and he was not able to carry the history further than the reign of Augustus. In order to fulfil his engagement, he resumed the lectures in the summer of 1829, when the history of the emperors was related, one hour every week being occupied with this subject.

It must be observed that Niebuhr delivered his lectures before young men who were supposed to be acquainted with the leading events of Roman history, or at least to possess an acquaintance with the ancient languages sufficient to enable them to read the Greek and Latin works which are the sources of our knowledge. It was therefore Niebuhr's object not so much to fill their memory with all the details of history, as to enable them to *understand* its important events, and to form correct notions of the men and institutions which occur in the history of Rome. Hence some events were passed over altogether, and others were only slightly alluded to, especially where he could refer his hearers to the ancients themselves for accurate and satisfactory information.

Niebuhr, as a lecturer, was a singular phenomenon ; he delivered his discourses extempore, and without having any written notes before him to assist his memory. The form of his lectures was that of a familiar and lively conversation with friends, in which he made use of his most varied and inexhaustible stores of knowledge and personal experience to illustrate the subjects of his discourses, and abandoned himself without restraint to the expression of his strong feelings, as they might be called forth by the subjects under consideration. A few harsh expressions which escaped him under the influence of such



passionate feelings have been softened down in the present work, for a word when printed makes an impression very different from that which it conveys when spoken in the heat of the moment. When Niebuhr spoke, it always appeared as if the rapidity with which the thoughts occurred to him interfered with the power of communicating them in their regular order of succession. Nearly all his sentences, therefore, were anacoluths ; for, before having finished one, he began another, perpetually mixing up one thought with another, so that few were completely expressed. This peculiarity was more particularly striking when he was labouring under any mental excitement, which occurred the oftener, as, with his great sensitiveness, he felt that warmth of interest in treating of the history of past ages, which we are accustomed to witness only in discussions on the political affairs of our own time and country. This singular manner of delivering his thoughts—a deficiency of which Niebuhr himself was painfully conscious—rendered it often extremely difficult to understand him ; and it may easily be inferred in what a state of confusion the notes are which were taken by the students under such circumstances. But, notwithstanding this deficiency in Niebuhr as a lecturer, there was an indescribable charm in the manner in which he treated his subjects : the warmth of his feelings, the sympathy which he felt with the persons and things he was speaking of, his strong conviction of the truth of what he was saying, his earnestness, and, above all, the vividness with which he conceived and described the characters of the most prominent men, who were to him living realities, with souls, feelings, and passions like ourselves, carried his hearers away, and produced effects which are usually the results of the most powerful oratory only. Would that my materials had enabled me in all cases to preserve these features in the lectures which I am now bringing before the public !

Another circumstance, which gave rise to mistakes and confusion in the notes, was the ignorance of Niebuhr's hearers about a countless number of things which he introduced as illustrations of the history of Rome, and which were taken from the history of countries with whose languages we pupils were unacquainted. Hence proper names were constantly misunderstood or misspelt. Niebuhr, moreover, spoke very rapidly ; and in addition to all this it must be remembered that students are not trained as short-hand writers, like the reporters of lectures in this country, and that every student notes down as much as he can, or as much as he may think proper or useful to himself, no one being able to write with the rapidity with which a lecturer like Niebuhr speaks. Some slight mistakes also were made by Niebuhr himself, but these were chiefly such as any one engaged in a lively conversation would be apt to commit : for example, the name of one person was occasionally mentioned for that of another, dates were confounded, or the order of events was reversed. Sometimes also he forgot to mention an event in its proper place, and afterwards, when the oversight occurred to him, he stated what he had omitted. All such mistakes, inaccuracies, and inconsistencies, I have endeavoured to remedy tacitly, wherever it was possible for me to do so. These corrections could of course be made only by tracing Niebuhr's statements to their

sources, both ancient and modern ; and I have never made them except where they were demanded by positive evidence. There are a few points which I was obliged to leave as I found them, and which I could not consider as mistakes, although the authorities which I had before me seemed to justify such a supposition. But Niebuhr may have had other authorities which were unknown to me. Wherever such a case occurred, I have pointed it out in a note. There are lastly a very few statements which I was unable to substantiate by any authority, but which I have nevertheless preserved, in the hope that they may induce others to search, and with better success than myself.

It would perhaps have been desirable to publish the complete course of lectures at once, but I thought it preferable, on mature consideration, first to give to the world only the lectures on that portion of the history of Rome which is not contained in the three volumes already before the public, so that the present lectures will form a sort of continuation to Niebuhr's great work. But in determining upon this plan I have added two things, which at first sight may seem to be out of place and inconsistent with my plan,—viz., the twelve Introductory Lectures, and those on the first Punic war. With regard to the Introductory Lectures, it is true, the translators of the first two volumes of the History have prefixed to Vol. I. a short introduction by Niebuhr ; but that contains only a few general remarks, and was written as early as the year 1810, whereas the twelve Introductory Lectures now published give a complete summary of all that has ever been done for Roman history ; they contain some very valuable remarks on both ancient and modern works, and are intended to direct the student to the materials upon which our knowledge of Roman history is based, and to instruct him about the manner in which he should make use of them. An account of the first Punic war is contained at the end of Vol. III., but it is only a fragment, and was moreover written as early as the year 1811. These were reasons sufficient in themselves to induce me to publish the lectures on the first Punic war, which also contain discussions not to be found elsewhere, upon a variety of subjects.

When I had made up my mind to set about the task of preparing these lectures for publication, I soon found that my own notes alone would be too insecure a basis to found the work upon, as no one of Niebuhr's pupils was able, even if he had wished to do so, to make his notes complete and accurate. I therefore procured from Germany as many and as good manuscripts as I could, by means of which I have endeavoured to correct and complete my own. But I am well aware that notwithstanding all this, some of the lectures cannot be complete, considering the small space they occupy in this work, and the fact that the delivery of each occupied three-quarters of an hour. This incompleteness, however, is only apparent, and affects only the form ; for the substance of Niebuhr's discourses is preserved throughout, and there are only a very few instances in which the omission of explanatory matter is perceptible. The students in German universities seldom write down the remarks of the lecturer on things not closely connected with the subject under consideration, although the observations of a man like Niebuhr, even when they appeared less important to an

inexperienced student, were always of the greatest interest and highly suggestive. But I am happy to say that my own manuscript, as well as the others which I have collated, have few omissions of this kind, all the students seeming to have been well aware of the importance of Niebuhr's remarks on extraneous subjects. The very few lectures in which such omissions occur, are for this reason somewhat briefer than the rest. In a spoken discourse, the introduction of explanatory or extraneous matter always appears to interrupt the context less than in a written or printed one. In most cases, therefore, where such observations by the way seemed to interrupt the narrative and could be conveniently removed, I have taken them out of the text and put them at the foot of the page as notes. In order to distinguish them from the notes which I have added myself, I have always marked them with Niebuhr's initial—N.

All these lectures are only brief summaries, that is, the results of Niebuhr's investigations. He never gave any references to his authorities except in the general way in which they occur in the text. Wherever I have been able to find the passages of his authorities, and thought them useful to the student, I have given the exact references. It would have been easy to multiply their number; but I was not inclined to swell the bulk of the book with a useless display of learning; suffice it to say that I have endeavoured to verify every one of Niebuhr's statements by referring to the ancient as well as to the modern authorities. I have purposely abstained from giving references to the numberless modern works on the History of Rome or on separate portions of it, except in a few cases in which Niebuhr's words seemed to suggest the propriety of doing so, and a few others in which I could refer to Niebuhr's own works. Still less did I feel called upon to controvert opinions of Niebuhr; and it is only in one or two instances that I have made any remarks of this kind, because on referring to the authorities, statements at once presented themselves to me, which were at variance with Niebuhr's opinion. In these cases, however, I am very far from asserting that Niebuhr is wrong; all that I mean to suggest is, that I have not been able to discover the authorities on which his opinions or statements may be founded.

If I have not succeeded in reproducing these lectures in a manner worthy of Niebuhr in all respects, I venture to hope that a consideration of the difficulties with which I have had to struggle, will suggest some excuse at least for my inadequate performance. I have often been on the point of giving up the undertaking altogether in despair; but my love and admiration for Niebuhr, my conviction of the peculiar interest and value of his lectures, and the encouragement of learned friends, always urged me on, and gave me fresh strength to proceed with my task. And now that the work is completed, I would rather see all its defects attributed to my own incapacity, than that any one of them should, through my fault, be imputed to Niebuhr.

L. SCHMITZ.

LONDON :

*April, 1844.*

## PREFACE TO THE SECOND EDITION.

---

THE first edition of the present lectures, published in 1844, was based entirely upon notes taken during their delivery in the University of Bonn, in the years 1828 and 1829. When Dr. Isler was afterwards entrusted with the preparation of a German edition of the same lectures, he thought it right to avail himself also of the notes of an earlier course of lectures on the same subject, which Niebuhr had delivered during the winter of 1826 and 1827. In this earlier course, the historian did not embrace the whole history of Rome, but only the portion from the earliest times down to the death of Sertorius, and he was consequently enabled to treat his subject more in detail than in the later course. In preparing the new edition, I have made use of everything which Dr. Isler has thus incorporated in his edition from the course of 1826 and 1827. The amount of this additional matter is very considerable, occupying nearly one hundred pages of the present edition. In the lectures relating to the period subsequent to the death of Sertorius, the additions and corrections are less numerous and important; as for this portion of the history, the German editor had no other notes than such as had been taken during the course of 1828 and 1829; that part of the German edition therefore presents no other differences from the first English edition, than those arising from the fact, that the two editions were formed from sets of notes taken by different students.

In the latest part of the history, however, an important addition has been introduced from the German edition, namely, the history from the death of Constantine down to the overthrow of the Western Empire. The history of that period was not published in the first edition, because I had no manuscript notes referring to that time, having, along with most other students, left the university before Niebuhr ceased lecturing. This part has now been translated from the German. As the German edition is not divided into lectures, I applied to Dr. Isler to inform me of the precise point at which each of these additional lectures begins; but it unfortunately happens, that in his own manuscript notes, the lectures are not marked. He kindly pointed out to me, however, the passages, where the different style of writing and the appearance of the ink, seemed to him to indicate the beginning of a new lecture. According to these hints, I have divided the additional portion of the history into eight lectures, without, however, being able to answer for the correctness of that division, which



will appear the more doubtful when we consider the extreme brevity of those last lectures. It is, however, not impossible that this brevity may arise from the fact, that the students on whose notes they are based, were less anxious to take down every remark of Niebuhr, and noticed only the principal events mentioned by the lecturer. Few students, moreover, were present during the concluding part of the course, so that the manuscript notes collated by the German editor, were much fewer in number than those relating to the earlier history.

As regards the relation in which the present edition stands to that of Dr. Isler, it must be observed that I have incorporated in my edition, every word and statement of the German edition, which was not contained in my edition of 1844, so that the German work comprises nothing which is not to be found in the present volumes. Dr. Isler, who, in his edition, has not adhered to the form of lectures, has by that very circumstance, often been obliged to transfer passages from one place to another: this necessity did not exist for me, and hence I may lay claim to having produced a more faithful representation of the course of lectures, as actually delivered by Niebuhr, than Dr. Isler, who, I may observe by the way, declared to me last autumn, that if he had to do the work again, he would not be inclined to make those transpositions as often as he has done.

It may, perhaps, at first sight appear presumptuous when I assert that the present edition is even more complete than the German; but a comparison of the two editions will soon convince any one who will take the trouble, that in making that assertion, I do not go beyond the bounds of truth, and the following facts will at once explain the matter. My first edition was founded upon a set of manuscript notes inaccessible to Dr. Isler: they were partly my own—partly those collected by me in Germany. Every one knows that notes taken by one student in a lecture-room may, and do differ widely from those taken by another, every one noting down only that which he happens to think important or interesting. Hence Dr. Isler found in his notes many statements which did not occur in mine, and I, on the other hand, found in my notes many things of which there was no trace in his. Now all such statements as I found in his edition, have been translated and transferred to the present edition: but Dr. Isler's position was different; for although in preparing his work he had my first edition before him, still when he met with a passage which did not occur in his notes, he was not at liberty to translate it from the English, as he was bound scrupulously to preserve the very words and expressions of Niebuhr; and how could he have done so by re-translating from the English into German? Thus it happens that a great many remarks and observations are found in the present edition, which do not appear in the German one.

Several errors occurring in my first edition have been corrected with the aid of Dr. Isler's edition, and some of the difficulties noticed by me in the former edition have been solved by the same means.

It may perhaps be asked, What is the use of publishing the lectures on that portion of Roman history on which we possess the author's own elaborate volumes? To this it may be replied, that the present lectures contain a more popular and familiar exposition of the subject,

which in the three volumes is treated in a severe style, little calculated to attract ordinary readers. They, therefore, may be used as an introduction to, or as a running commentary on, Niebuhr's great work. I also agree with the German editor in thinking that it does not seem right to suppress any part of the Lectures on Roman History, one of the objects of their publication being to give as vivid a picture as possible of the extraordinary personal and intellectual character of Niebuhr; an object which can be attained only by the complete and entire publication of all that he has ever said on the history of Rome. These lectures, moreover, as Dr. Isler remarks, "distinctly show the different objects which Niebuhr had in view in preparing a work for the press, and in lecturing from the professorial chair; each, in his opinion, demanded a totally different mode of treatment, whence many points are set forth in these lectures more clearly and distinctly, nay sometimes even more minutely than in the larger work. The reader need only be reminded of the Introductory Lectures on the Sources of Roman History, of the Discussion on the Saturnian verse, and the like. Lastly, it must not be forgotten, that on many subjects these lectures contain the latest and most matured opinions of Niebuhr. The revision of the last edition of the first volume of his History was finished by him, chiefly, in the year 1826; and the additions to the third edition belong to the year 1827. A mind like that of Niebuhr never ceased acquiring fresh stores of knowledge, and making new inquiries, although the principal results were already firmly established. Sundry new fragments of ancient writers also were discovered after the publication of the last edition, which led him to modify the views he had expressed in his printed work. Hence even those who by a careful study have acquired a thorough familiarity with the three volumes of the Roman History, will find in these lectures much that is new and striking."

In now offering to the public Niebuhr's Lectures on Roman History in the completest form which it is rational to expect, in the circumstances of the case, they will ever be able to assume, I indulge the hope that they may contribute to keep alive and increase the interest in a branch of study which can never fail to be of the deepest interest to enlightened Englishmen.

L. SCHMITZ.

EDINBURGH :

May, 1849.

*Note.*—Wherever reference is made simply to Vol. I., Vol. II., or Vol. III., the reader will understand, that these references are to the three volumes of Niebuhr's History of Rome, translated by Bishop Thirlwall, Archdeacon Hare, Dr. W. Smith, and myself.

# CONTENTS.

## LECTURE I.

	PAGE
Introductory remarks—Sources of Roman history, and their credibility . . .	1

## LECTURE II.

Antiquity of the art of writing among the Romans— <i>Annales maximi</i> , <i>Annales pontificum</i> — <i>Fasti</i> , <i>commentarii pontificum</i> , <i>libri pontificum</i> , <i>laudationes funebres</i> —Poetical tales and lays . . .	4
---	---

## LECTURE III.

Examples of made-up annals—Changes of metrical legends—Chronicles and family chronicles—Ancient laws . . .	9
--	---

## LECTURE IV.

Earliest literature of the Romans—Cn. Naevius—Q. Fabius Pictor—Num. Fabius Pictor—Other historians of the name of Fabius . . .	14
--	----

## LECTURE V.

L. Cincius Alimentus—C. Acilius, A. Postumius Albinus, Cn. Aufidius—Q. Ennius—M. Porcius Cato—L. Cassius Hemina—Ser. Fabius Pictor—Cn. Gellius Vennonius—L. Calpurnius Piso—Q. Claudius Quadrigarius—Q. Valerius Antias . . .	19
---	----

## LECTURE VI.

C. Licinius Macer—C. Junius Gracchanus—Fenestella and minor historians—Q. Aelius Tubero—T. Pomponius Atticus, M. Tullius Cicero—C. Sallustius Crispus, Sisenna—Diodorus Siculus—Dionysius of Halicarnassus . . .	26
--	----

## LECTURE VII.

Dionysius of Halicarnassus, continued—Livy . . .	32
--	----

## LECTURE VIII.

	PAGE
Livy, continued . . .	37

## LECTURE IX.

Livy, continued—Velleius Paterculus, Fabius Rusticus—Epitome of Livy—L. Annaeus Florus—Eutropius, Orosius, Plutarch—Appian—Dion Cassius (Xiphilinus, Zonaras) . . .	42
---	----

## LECTURE X.

Dion Cassius, continued—Roman history in the middle ages—Revival of learning—Glareanus, Panvinus, Sigonius—Pighius—J. Freinsheim—Perizonius—Montesquieu, Bayle, Beaufort, Rollin, Hooke—Ferguson, Levesque, Micali . . .	47
--	----

## LECTURE XI.

German philology—Requisites for the study of history—Cluverius, D'Anville, Mannert—Reichard—Rennell . . .	54
---	----

## LECTURE XII.

Importance of Roman history . . .	58
-----------------------------------	----

## LECTURE XIII.

Origin of Roman history—Impossibility of the earliest history—Numerical schemes in the chronological statements—Saecula of the Etruscans—Ancient lays—Etruscan history—the emperor Claudius—Saturnian verse—Neniae—Epic poems—Family records and family vanity—National vanity—The Pelasgians—Samoitace—Sicilians, Itali, Oenotrians, Peucetians, Liburnians, Tyrrhenians, Opicans, Apulians, Volscians, Aequians, Sabellians, Umbrians . . .	60
---	----

## LECTURE XIV.

Sicilians in Italy, aborigines—Latins—Polarity of traditions—Cascans—Sa-	6
--	---



	PAGE		PAGE
crani, Ver Sacrum, Prisci, Prisci Latini—Origin of the Latin language—Tradition about the Trojan settlement in Latium—Alban chronology—Alba Longa; populi Albenses . . . . .	70	LECTURE XXIII.	
LECTURE XV.		The consulship—Valerius Poplicola and the Valerian laws . . . . .	126
The thirty Latin towns—Roma, the town on the Palatine—Romulus and his descent—Romulus and Remus—Remuria—The asylum—Rape of the Sabine women—Union of the Romans and Sabines—Death of Romulus—Division of the population—The Sabines—Towns on the Palatine and Quirinal—Union of the two states . . . . .	74	LECTURE XXIV.	
LECTURE XVI.		Porsena—War of the Etruscans against Rome—Mucius Scaevola—Peace of Porsena—Diminution of the tribes . . . . .	129
Division of the population—The Sabines and the Palatine and Quirinal—Double state—Numa Pompilius—Tullus Hostilius—War with Alba—The third tribe—Ancus Marcius—War with the Latins—Foundation of Ostia—Origin of the plebs . . . . .	82	LECTURE XXV.	
LECTURE XVII.		Relation of the Latins—Battle of lake Regillus—Isopolity—Treaty of Sp. Cassius, league of the Romans, Latins, and Hernicans—The dictatorship—War with the Auruncans . . . . .	133
Tarquinius Priscus and his Greek descent—The cloaca maxima—Traces of Rome having then been a great state—The centuries doubled—The Etruscans and Tyrrhenians—Servius Tullius (Mastarna)—Constitution of Servius Tullius—Gentes and curiae . . . . .	88	LECTURE XXVI.	
LECTURE XVIII.		Attempts to bring about a counter-revolution—The law of debt—The nexum . . . . .	137
The plebes, or commonalty, and the clients . . . . .	104	LECTURE XXVII.	
LECTURE XIX.		Resistance of the plebes, and their secession . . . . .	142
The plebeian tribes—The centuries . . . . .	109	LECTURE XXVIII.	
LECTURE XX.		Peace between the two estates—Tribunes of the plebes—The story of Coriolanus inserted in a wrong place . . . . .	145
Centuries, continued—Census—Further legislation of Servius Tullius—Relation to the Latins—Extension of the city—The cloacae—Mound of Servius Tullius . . . . .	112	LECTURE XXIX.	
LECTURE XXI.		Division of the Volscian wars—League with the Hernicans—Sp. Cassius—The agrarian law . . . . .	149
Criticism on the tradition about Mastarna—L. Tarquinius Superbus . . . . .	119	LECTURE XXX.	
LECTURE XXII.		The agrarian law, continued—Difference between property and possession—The lex Cassia—Execution of Sp. Cassius . . . . .	153
War with the Latins—Treaty with Carthage—Military constitution—L. Junius Brutus—Abolition of the kingly government . . . . .	122	LECTURE XXXI.	
		The consuls elected by the senate and curies alone—The election of the consuls divided between curies and centuries—War against Veii—The Fabii declare for the plebeians—The Fabii on the Cremera, and their destruction—Accusation of the consuls by the tribunes . . . . .	157
		LECTURE XXXII.	
		Murder of Cn. Genucius—Volero Publicus—The Publilian rogations—Mode of proceeding in the assemblies of the people . . . . .	161

LECTURE XXXIII.

Resistance of Appius Claudius—Wars with the Volscians and Aequians—Plague at Rome . . . . . 164

LECTURE XXXIV.

C. Terentilius Harsa and the Terentilian law—Kaesio Quinctius—Cincinnatus—Appius Herdonius—Condemnation of Volscius . . . . . 167

LECTURE XXXV.

Coriolanus—Peace with the Volscians . . . . . 172

LECTURE XXXVI.

Altered relation of the Latins to Rome—Commotions at Rome—P. Mucius—Embassy to Athens—Hermodorus—First decemvirate—Equalisation of the rights of patricians and plebeians—Second decemvirate and new constitution . . . . . 176

LECTURE XXXVII.

Unlimited right to make a will—The law of debt—The centuries, a national court of justice—Tyranny of the decemvirs—Death of Virginia—Secession of the plebes—Overthrow of the decemvirate . . 180

LECTURE XXXVIII.

Restoration of the old constitution—Veto of the tribunes, and patrician tribunes—Death of App. Claudius and Sp. Oppius—The Roman criminal law—Lex Horatia Valeria—Hortensian law—Victories over the Aequians and Sabines—The different quaestors—The connubium between the two estates, and the Canuleian law . . . . . 187

LECTURE XXXIX.

The military tribunes—The censorship . . 195

LECTURE XL.

Famine at Rome—Sp. Maelius—The executive power of the consuls—The quaestorship opened to the plebeians, and plebeian senators—The Campanians—Victory over the Aequians—The agrarian law—Coloniae Romaniae—Insurrection of the soldiers . . . . . 199

LECTURE XLI.

Destruction of Fidenae—Military affairs and pay of the army—Siege of Veii—The Alban lake and its emissarium . . 206

LECTURE XLII.

The taking of Veii, and the disputes between patricians and plebeians resulting from it—War with the Faliscans and Vulsinians—Camillus and his exile—The migration of the Gauls—The Celts 212

LECTURE XLIII.

The Celts, continued—The Gauls invade Italy—Embassy to the Gauls—Battle of the Alia—The Gauls in Rome. . . . . 216

LECTURE XLIV.

Peace with the Gauls, and their departure—Consequences of the Gallic conquest—Rebuilding of the city—Foenus Unciariū—Usury . . . . . 223

LECTURE XLV.

Etruscan wars—Four new tribes—M. Manlius—Tribuneship of C. Licinius Stolo and L. Sextius Lateranus—The Licinian rogations . . . . . 228

LECTURE XLVI.

Dictatorship of Camillus—Temple of Concord—The consulship divided between patricians and plebeians—The praetorship—Ludi Romani—The curule aediles . . . . . 233

LECTURE XLVII.

Triumviri reipublicae constituendae—Invasion of the Senonian Gauls—Alliance with the Latins and Hernicans—Alliance with the Samnites—War in Etruria—Settlement of debts—Third invasion of the Gauls . . . . . 237

LECTURE XLVIII.

C. Marcius Rutilus—The colonies—Origin of the Samnites—Insurrection at Capua—Constitution of the Samnites—The first Samnite war—M. Valerius Corvus—Battle of Mount Gaurus—P. Decius Mus saves the Roman army. . . . . 242

LECTURE XLIX.

Insurrection in the Roman army—Progress of legislation—Military arrangements of the Romans—Peace with the Samnites—Relation between Rome and Latium—War with the Latins—T. Manlius—The Roman army—Battle of Veseris—P. Decius . . . . . 249

LECTURE L.

Battle of Trifanum—Submission of the Latins—Q. Publilius Philo and his

	PAGE		PAGE
legislation—End of the Latin war—Municipia—Latin colonies . . . . .	256	Draining of lake Velinus—The falls of Terni . . . . .	304
LECTURE LI.		LECTURE LX.	
War with the Sidicines—Colonies at Cales and Fregellae—New circumstances of the Romans and their relations to Greece—Tarentum and Alexander of Epirus . . . . .	262	The Maenian law—The Hortensian law—Triumviri capitales . . . . .	308
LECTURE LII.		LECTURE LXI.	
Insurrection of Privernum—Peace with the Gauls—Embassy to Alexander of Macedonia—Palaeopolis and Neapolis . . . . .	268	War against the Senonian Gauls—C. Fabricius Luscinus and M. Curius Dentatus—Ti. Coruncanus—Outbreak of the war with Tarentum—Pyrrhus of Epirus . . . . .	310
LECTURE LIII.		LECTURE LXII.	
Outbreak of the second Samnite war . . . . .	272	Pyrrhus, continued—Cineas—Battle of Heraclea—Pyrrhus attempts to march against Rome—Sends Cineas to Rome . . . . .	316
LECTURE LIV.		LECTURE LXIII.	
M. Valerius Corvus, L. Papirius Cursor, and Q. Fabius Maximus—Fabius defeats the Samnites, and escapes from Papirius—Death of Papius Brutulus—Defeat of Caudium—The Romans break through the peace . . . . .	276	Pyrrhus returns to Tarentum—Roman embassy to Pyrrhus—Battle of Asculum—Pyrrhus goes to Sicily, and returns to Italy—Battle of Taurasia (Beneventum)—Defeat of Pyrrhus . . . . .	321
LECTURE LV.		LECTURE LXIV.	
Defeat of the Romans at Lautulae—Colony at Luceria—The Romans build a fleet—Art among the Romans—Rise of the Etruscans . . . . .	282	Peace with Samnium—Tarentum taken by the Romans—Subjugation of Italy—Events which preceded and led to the first Punic war—The Campanian legion—The early history of Sicily—The Mamertines in Messina—Hiero and the Carthaginians defeated by the Romans—Peace with Hiero, and beginning of the first Punic war. . . . .	325
LECTURE LVI.		LECTURE LXV.	
Taking of Bovianum—Papirius Cursor appointed dictator—War with the Heronians and their subjugation—End of the second Samnite war—Reduction of the Aequians—Rome's connection with the Marsians—The Etruscan war—The Ciminian forest—Battle of Sutrium—Colony at Narnia—Cleonymus . . . . .	287	Foundation of Carthage—Sketch of its history—Its dominions at the beginning of the war with Rome—Political constitution and national character of the Carthaginians . . . . .	333
LECTURE LVII.		LECTURE LXVI.	
Appius Claudius the Blind—Via Appia—Aqua Appia—Cn. Flavius—Abolition of the nexum—The Ogulnian law . . . . .	293	Physical nature of Sicily—Division of the first Punic war into periods or masses—Siege and capture of Agrigentum—Ancient ships—Roman fleet; boarding bridges—Victory of C. Duilius off Mylae . . . . .	337
LECTURE LVIII.		LECTURE LXVII.	
The third Samnite war—The war transferred to Etruria—Battle of Sentinum—P. Decius devotes himself for his country . . . . .	300	Less important events, and new Navy of the Romans—Victory of the Romans near Ecnomus—Regulus lands in Africa—The gigantic Serpent—Negotiations for peace—Xanthippus—Defeat of Regulus—Disasters of the Romans at sea . . . . .	
LECTURE LIX.			
End of the third Samnite war—War with the Sabines—Embassy to Epidaurus—			

	PAGE
—Victory of L. Cæcilius Metellus at Panormus—Character of the last period of the war . . . . .	342

### LECTURE LXVIII.

The death of Regulus, and criticism of the stories about it—Siege of Lilybaeum—Defeat of P. Claudius, near Drepana—Wreck of the Roman transports—The taking of Mount Eryx—Hamilcar Barcas . . . . .	349
---	-----

### LECTURE LXIX.

The Romans build a new fleet—Victory of the Romans, near the Aegadian islands—Conclusion of the war, and peace—Sicily a Roman province—Constitutional changes at Rome; Praetor peregrinus—The aediles and the public festivals—Change in the character of the Senate—War against the Faliscans—Insurrection of the mercenaries at Carthage—Revolt of Sardinia—New peace between Carthage and Rome—The first Illyrian war—Embassy of the Romans to Greece . . . . .	355
--	-----

### LECTURE LXX.

History strengthens the belief in Divine Providence—The agrarian law of C. Flaminius—War with the Cisalpine Gauls—Battle of Clastidium—The second Illyrian war—Foundation of a Carthaginian empire in Spain—The tribes of Spain—Death of Hamilcar . . . . .	362
---	-----

### LECTURE LXXI.

The second Punic war—Literature on the second Punic war—Hannibal—P. Cornelius Scipio—Q. Fabius Maximus, and M. Claudius Marcellus—Division of the war into periods—Contemporary wars . . . . .	369
--	-----

### LECTURE LXXII.

Carthaginian empire in Spain—Treaty of Rome with Hasdrubal—Siege of Saguntum—Embassy to Carthage—Hannibal crosses the Pyrenees—Hannibal in Gaul—Proceedings of the Romans on the approach of Hannibal—Hannibal crosses the Alps . . . . .	375
---	-----

### LECTURE LXXIII.

Conduct of the Romans on the approach of Hannibal—First engagement with the Romans on the Ticinus—Battle on the Trebia—C. Flaminius—Hannibal's march through the marshes into Etruria—Battle of lake Trasimenus . . . . .	382
---	-----

### LECTURE LXXIV.

Extraordinary phenomena in nature—Proceedings of Hannibal after the battle of Trasimenus—Why he did not march against Rome—Q. Fabius Maximus is made dictator—Hannibal cut off near mount Callicula—L. Aemilius Paullus and C. Terentius Varro—Battle of Cannae—Maharbal's advice to march to Rome . . . . .	389
--	-----

### LECTURE LXXV.

Revolt of the Italicans from Rome—Hannibal in Campania—Capua—Third period of the war—Exertions of the Romans—They gain advantages in Campania—Tib. Sempronius Gracchus conquers at Beneventum—Siege of Capua—Hannibal at the gates of Rome—Death of Hiero—Hieronymus of Syracuse—His successors, Hippocrates and Epicydes—Siege and capture of Syracuse by the Romans—Archimedes—Conduct of Marcellus . . . . .	397
---	-----

### LECTURE LXXVI.

Surrender of Capua—The period from 541 to 545—The war in Spain—Death of the two Scipios—P. Cornelius Scipio Africanus—Capture of New Carthage—Hasdrubal goes to Italy—Battle near Sena . . . . .	406
--	-----

### LECTURE LXXVII.

Continuation of the war in Spain—Insurrection of the Italian allies in the army of Scipio—Scipio visits Syphax in Africa—P. Cornelius Scipio, consul, crosses over to Africa—Masinissa—Syphax is taken prisoner—Negotiations for peace—Hannibal and Mago recalled to Africa . . . . .	411
---	-----

### LECTURE LXXVIII.

The negotiations for peace broken off—Battle of Zama—Peace concluded—Consequences of the second Punic war—First war with Macedonia—Condition of Macedonia—Philip III.—General view of the state of the East—Peace with Macedonia . . . . .	418
--	-----

### LECTURE LXXIX.

Philip and Antiochus attack Egypt—Affairs in the East—Internal condition of Rome—Second Macedonian war—Condition of Greece—T. Quinctius Flamininus—Battle of Cynoscephalae—Disputes between Romans and Aetolians—Peace with Philip—Freedom of Greece proclaimed . . . . .	424
---	-----

	PAGE		PAGE
LECTURE LXXX.		LECTURE LXXXVI.	
War against the Insubrians and Boians— Antiochus the Great and his empire— Hannibal at the court of Antiochus— Feelings of the Greeks—Battle of Ther- mopylae—War against the Aetolians . . . . .	433	Topography of Carthage—Its siege and destruction—Pseudo-Philip of Macedo- nia; his war with Rome and his defeat —Achaia, its constitution, and the evils resulting from it—Unreasonable de- mands of the Romans—Insults offered to the Roman ambassadors at Corinth . . . . .	476
LECTURE LXXXI.		LECTURE LXXXVII.	
Battle of Myonnesus—Battle of Magnesia —Peace with Antiochus, and the sub- sequent arrangements in Asia—War against the Galatians—Death of P. Cor- nelius Scipio—Increase of the tribes and of the praetors—Beginning of de- moralization among the Romans—M. Porcius Cato—Importance of capital at Rome—Death of Hannibal . . . . .	439	Condition of the Achaeans—They declare war against Rome—Critolaus defeated —Metellus—Diaeus—Mummius—De- struction of Corinth—Wars in Spain against the Celtiberians—M. Claudius Marcellus concludes peace with them— Wars against the Lusitanians, Viriathus, and Numantia . . . . .	483
LECTURE LXXXII.		LECTURE LXXXVIII.	
Early acquaintance of the Italians with Greek literature—Roman literature— Atellanæ and Praetextatae—Livius Andronicus—Naevius—Plautus—En- nius—Pacuvius—Romans who wrote Greek, Fabius Pictor, Cincius Alimen- tus . . . . .	450	War against Numantia continued—Its destruction by Scipio—Servile war in Sicily—Attalus of Pergamus—Aristoni- cus defeated—Constitutional changes at Rome . . . . .	490
LECTURE LXXXIII.		LECTURE LXXXIX.	
The Ligurian war—Standing armies— Wars of Cato in Spain—Tib. Sempro- nius Gracchus concludes peace with the Celtiberians—The last years of the reign of Philip of Macedonia—Conduct of the Romans—Demetrius—Perseus— Death of Philip—The first period of the reign of Perseus—War of Perseus against the Romans—Feelings of the Greeks at that time . . . . .	454	Ager Publicus and the Licinian law—Con- dition of the Roman people at the time of the Gracchi—Agrarian law of Tib. Sempronius Gracchus—Character of the opposition . . . . .	496
LECTURE LXXXIV.		LECTURE XC.	
Continuation of the war against Perseus —L. Aemilius Paullus—Battle of Pydna —Perseus taken prisoner—Conduct of the Romans after their victory—New arrangements in Macedonia and Greece —The period between the conquest of Macedonia and the third Punic war— Moral condition of Rome—Peace with the Rhodians—Wars in Gaul and Dal- matia—Prusias, Eumenes—Occurrences in Egypt; the Parthians—The war in Spain; L. Sulpicius Galba—Lex Vo- conia—Lex Aelia et Fufia—Internal changes at Rome—Law of bribery . . . . .	461	Machinations of the opposition—M. Octa- vius is deprived of his tribuneship, and the law of Tib. Sempronius Gracchus is carried—Opposition of the Latins—The bequest of Attalus—Gracchus tries to obtain the tribuneship for the next year —Is murdered—Persecutions of his friends—C. Papirius Carbo—Death of P. Cornelius Scipio—Events of the pe- riod from the death of Tib. Gracchus to the tribuneship of C. Sempronius Gracchus . . . . .	502
LECTURE LXXXV.		LECTURE XCI.	
Carthage during the interval between the second and third war with Rome—Ma- sinissa becomes the occasion of the third Punic war—Conduct of the Romans— Beginning of the war—P. Cornelius Scipio, Paulli filius . . . . .	469	C. Sempronius Gracchus in Sardinia— His tribuneship and legislation—His lex frumentaria—Facilitates military service—Transfers the judicia from the senate to the equites—Contemplates the extension of the franchise—Distribution of the provinces—Intrigues of the senate to deprive him of the favour of the people . . . . .	509
		LECTURE XCII.	
		Consulship of L. Opimius, and death of C. Gracchus—C. Papirius Carbo—L.	

Crassus—Foreign wars during this period—The Jugurthine war and Sallust's description of it—Condition of Numidia—Division of the kingdom; Jugurtha—M. Aemilius Scaurus—Historical knowledge of Horace—L. Calpurnius Bestia . . . . . 517

### LECTURE XCIII.

Jugurtha at Rome—Q. Caecilius Metellus goes to Africa—C. Marius brings the war to a close—The Cimbri and Teutones—Defeats of the Romans by the Cimbri—C. Marius four times consul; begins his campaign in his fourth consulship . . . . . 524

### LECTURE XCIV.

C. Marius defeats the Teutones, and, in conjunction with C. Lutatius Catulus, the Cimbri also—The consulships of Marius—L. Appuleius Saturninus and his legislation—He and his associates are put to death—The equites are judges and farmers of the public revenue . . 531

### LECTURE XCV.

Internal condition of Rome—The judicial power of the equites—The question about the franchise of the Italicans—M. Livius Drusus and his legislation—His assassination—His laws are annulled—Q. Varius 539

### LECTURE XCVI.

The Social or Marsic war—The Roman proconsul murdered at Asculum—The state of the Italicans—The Lex Julia—Division of the scene of war into three regions—Victory of Cn. Pompeius Strabo—Some Italicans obtain the franchise . . . . . 544

### LECTURE XCVII.

C. Marius and L. Cornelius Sulla—The kingdom of Pontus—Mithridates VI.—First war against Mithridates—Massacre of Roman citizens in Asia—Sulla appointed commander against Mithridates—Civil war between Marius and Sulla—Victory of Sulla, and his departure for Greece—The tribes of the new citizens . . . . . 549

### LECTURE XCVIII.

Cinna and Cn. Octavius—Struggle between the parties of Marius and Sulla—Q. Sertorius—Rome besieged and taken by the Marian party—Sulla's exploits in Achaia and Asia . . . . . 556

### LECTURE XCIX.

Sulla's return to Italy—The consulship of C. Marius, the younger; and Cn. Papirius Carbo—Blockade of Praeneste—Sulla at Rome, and his victory at the Colline gate—His proscription—His military colonies—His reforms of the constitution and criminal legislation—His abdication and death . . . . . 561

### LECTURE C.

Sallust's *Historiae*; Sisenna—Claudius Quadrigarius—Pacuvius; Terence; Caecilius Statius—Prose and manners of the Romans—Cicero; Hortensius—Attempt of M. Aemilius Lepidus to rescind the acts of Sulla—Fuel for a new conflagration—Q. Sertorius . . . . . 569

### LECTURE CI.

Proceedings of Sertorius in Spain—His war against Q. Metellus Pius and Pompey—Pompey—M. Perperna—Murder of Sertorius—War against Spartacus—Second war against Mithridates, and cause of the third war . . . . . 574

### LECTURE CII.

Survey of the states and nations subject to the Romans, and of the countries bordering upon the Roman empire—The consulship of Cn. Pompey and C. Licinius Crassus—Third Mithridatic war—Lucullus . . . . . 578

### LECTURE CIII.

War against Mithridates, continued—The pirates, and their conquest by Cn. Pompey—End of the Mithridatic war, and further conquests—Pompey's triumph—Catiline—Condition of the Roman republic . . . . . 582

### LECTURE CIV.

M. Tullius Cicero—Sketch of his life and character—His consulship—The conspiracy of Catiline . . . . . 587

### LECTURE CV.

M. Tullius Cicero, continued—P. Clodius—C. Julius Caesar . . . . . 593

### LECTURE CVI.

C. Julius Caesar, continued—Caesar's consulship—Consulship of L. Calpurnius Piso and A. Gabinius—Exile of Cicero, and his return—Milo and Clodius . . 598



	PAGE		PAGE
LECTURE CVII.		The Julian colonies—Fulvia—War between Octavian and L. Antonius at Perusia . . . . .	639
C. Julius Caesar's campaigns in Gaul—His works "De Bello Gallico" and "De Bello Civili"—A. Hirtius—C. Oppius—The Bellum Hispaniense—Condition of Gaul at the time of Caesar's arrival there—Sketch of his wars in Gaul. . . . .	603	LECTURE CXV.	
LECTURE CVIII.		Peace of Brundisium—Treaty of Misenum—Sextus Pompeius—Antony's war against the Parthians—War between Octavian and Sext. Pompeius—Defeat and death of the latter—Cause of the war of Actium . . . . .	644
Caesar's relation to the republic at the termination of his proconsulship—C. Scribonius Curio, and the outbreak of the civil war—Taking of Corfinium and Brundisium—War in Spain against Afranius and Petreius—Fall of Massilia—Caesar dictator—His legislation . . . . .	609	LECTURE CXVI.	
LECTURE CIX.		The war of Actium—Antony's flight to Egypt, and death—Cleopatra's death—End of the history of the republic—Establishment of the monarchy under Augustus . . . . .	649
Caesar crosses over to Epirus—Proceedings at Dyrrhachium—Battle of Pharsalus—Flight of Pompey to Egypt, and his death—Caesar at Alexandria; his war against Pharnaces, and return to Rome . . . . .	614	LECTURE CXVII.	
LECTURE CX.		Establishment of the monarchy, continued—The comitia—The senate—The provinces—The aerarium—Lex Aelia Sentia—Police at Rome—Division of Rome and of Italy into regions—Praefectus urbi—Cohortes urbanae—Praefectura aerarii—Cohortes praetoriae—The legions—Pay of the soldiers . . . . .	653
Caesar at Rome—Insurrection among his troops—His wars in Africa and Spain—Cato—Caesar's triumphs, and reform of the calendar . . . . .	619	LECTURE CXVIII.	
LECTURE CXI.		Roman literature—Its perfection in the time of Cicero—C. Licinius Calvus—Lucretius—Catullus—Helvius Cinna, Valerius Cato, Varro Attacinus—Asinius Pollio—Literature of the so-called Augustan age—Virgil . . . . .	658
Caesar after the close of the civil war—His schemes, laws, and regulations—Brutus and Cassius—Conspiracy against Caesar's life—Murder of Caesar . . . . .	624	LECTURE CXIX.	
LECTURE CXII.		Horace—Tibullus—Gallus—Varius—Propertius—Ovid—Cornelius Severus—Albinovanus—Livy . . . . .	663
State of Rome after the murder of Caesar—M. Antony—C. Octavius—Cicero, during the summer after Caesar's death—M. Antony in Cisalpine Gaul—Hirtius and Pansa enter upon their consulship. . . . .	630	LECTURE CXX.	
LECTURE CXIII.		Decimus Laberius and P. Syrus—State of Greek literature—Domestic relations of Augustus—His friends, M. Vipsanius Agrippa and Cilnius Maecenas—The family of Augustus . . . . .	668
Last year of Cicero's life—His letters to Brutus—War at Modena—Octavian demands and obtains the consulship—The Lex Pedia—Proscriptions—Cicero's death—Character of Cicero's works—Brutus and Cassius in the East . . . . .	634	LECTURE CXXI.	
LECTURE CXIV.		Buildings of Augustus—His wars against the Cantabri, in Dalmatia, Noricum, and Pannonia—War against the Alpine tribes—War in Germany—Maroboduus—Insurrection of Dalmatia and Pannonia . . . . .	673
The war of Philippi—The last efforts of Brutus and Cassius—Conduct of Antony and Octavian after the victory—Octavian returns to Italy—Cleopatra—			



LECTURE CXXII.

Quintilius Varus—Arminius—Battle of Varus—Last years and death of Augustus—Extent of the Roman empire at that time—Civil legislation of Augustus 678

LECTURE CXXIII.

General character of the history of the empire—Tacitus—Suetonius and Dion Cassius—History of Tiberius till the time of his accession—Beginning of his government . . . . . 682

LECTURE CXXIV.

The reign of Tiberius, continued—Wars of Germanicus and his death—Later period of the reign of Tiberius—Aelius Seianus—Macro—Death of Tiberius . . 686

LECTURE CXXV.

Caius Caesar (Caligula)—Claudius . . . 691

LECTURE CXXVI.

State of Roman literature during the early period of the empire—Seneca—Lucan—Reign of Nero . . . . . 696

LECTURE CXXVII.

Servius Sulpicius Galba—M. Salvius Otho—A. Vitellius—T. Flavius Vespasianus—Josephus, the Jewish historian . . . 700

LECTURE CXXVIII.

T. Flavius Vespasianus, continued—Insurrection of Claudius Civilis, and state of Gaul under the Romans—Titus . . . 705

LECTURE CXXIX.

Titus, continued—Domitian—Literature of the age of Domitian . . . . . 710

LECTURE CXXX.

M. Cocceius Nerva—M. Ulpius Nerva Trajanus . . . . . 715

LECTURE CXXXI.

The arts and architecture of Rome in the time of Trajan—The forum Ulpium and the column of Trajan—Roman literature in the age of Trajan: Tacitus, Pliny the younger, Florus—Greek literature of the same period: Dion Chrysostom and Plutarch . . . . . 719

LECTURE CXXXII.

Hadrian—Insurrection of the Jews and Mauretanians—Jurisprudence—Roman literature in the time of Hadrian: A. Gellius, Corn. Fronto, Apuleius, Terullian—Greek literature of the same period: Lucian, Pausanias, Aelius, Aristides . . . . . 724

LECTURE CXXXIII.

Hadrian's buildings—T. Antoninus Pius—M. Aurelius Antoninus—Stoic Philosophy—Causes of the unhappiness of M. Aurelius . . . . . 729

LECTURE CXXXIV.

M. Aurelius, continued—War against the Marcomanni—Insurrection of Avidius Cassius—Weakness of M. Aurelius as a sovereign—Commodus—P. Helvius Pertinax . . . . . 733

LECTURE CXXXV.

Didius Salvius Julianus—Clodius Albinus—Pescennius Niger—Septimius Severus—Christianity emerges from obscurity—Julia Domna—Caracalla and Geta—The correctores . . . . . 736

LECTURE CXXXVI.

Caracalla, continued—M. Opilius Macrinus—Elagabalus—Alexander Severus . . 743

LECTURE CXXXVII.

Restoration of the Persian empire—War of Ardshir with the Romans—Alexander Severus and his death—Maximinus—The Gordians—Maximus Pupienus and Caelius Balbinus—Gordian III. . . . 748

LECTURE CXXXVIII.

Gordian III., continued—M. Julius Philippus—Decius and his persecution of the Christians—Extent of the Christian religion at the time—State of the population—State of the arts and of literature—The Franks, Suabians, and Goths 753

LECTURE CXXXIX.

The invasion of the Goths and defeat of Decius—Gallus Trebonianus—Hostilianus—Aemilius Aemilianus—P. Licinius Valerianus—Gallienus—Palmyra—The so-called Thirty Tyrants—The Gallic empire—Aureolus and defeat of Gallienus—M. Aurelius Claudius Gothicus—L. Domitius Aurelianus . . . . . 777

	PAGE		PAGE
LECTURE CXL.		LECTURE CXLVI.	
L. Domitius Aurelianus, continued—De- feat of Zenobia—Gaul—The Germans— M. Claudius Tacitus—M. Annius Flori- anus—M. Aurelius Probus—M. Aure- lius Carus—Carinus and Numerianus— Arrius Aper—C. Valerius Diocletianus. 762	762	Treaty with the Goths—Gratian is mur- dered—Maximus, emperor of the West —Valentinian II.—Arbogastes—Euge- nius—Battle of Aquileia—Rufinus—Di- vision of the empire . . . . . 784	784
LECTURE CXLI.		LECTURE CXLVII.	
Condition of the empire, literature, and art, in the reign of Diocletian—Regula- tions of Diocletian—Maximian—Con- stantius and Galerius—Constantine the Great . . . . . 767	767	Literature and art—Christian literature— Greek literature—Architecture: Mosaic —Arcadius and Honorius—Stilicho— Rufinus—Alaric . . . . . 785	785
LECTURE CXLII.		LECTURE CXLVIII.	
Six Augusti at once—Constantine survives them all, and the empire is re-united under him—His government—His Chris- tianity—Death of Crispus—Fausta— Constantine's division of the empire and his death . . . . . 771	771	Stilicho defeats Alaric at Pollentia—Res- toration of the walls of Rome—Rada- gausus repelled by Stilicho—Court in- trigues against Stilicho—Stilicho is mur- dered—Alaric before Rome—Capitula- tion and second siege—Attalus—De- struction of Rome by Alaric—Alaric's death—Athaulf . . . . . 789	789
LECTURE CXLIII.		LECTURE CXLIX.	
Will of Constantine—Constantinus—Con- stans—Constantius—Magentius—Ve- trano—Gallus, Julian—Julian's success in Gaul and Germany—Julian pro- claimed emperor—Death of Constantius —Persecution of the Homoousii . . . . 775	775	Constantinus in Britain—Gerontius— Maximus—Constantius—Theodosius II.—John—Valentinian—Placidia— Bonifacius—Aëtius—Bonifacius invites the Vandals to Africa—The Donatists— Genseric takes possession of Carthage— The Huns—Aëtius—Battle in the Campi Catalaunici—Attila in Italy—Founda- tion of Venice . . . . . 791	791
LECTURE CXLIV.		LECTURE CL.	
Julian as an author—His efforts against Christianity—Insurrection at Antioch— War against the Persians—Julian's death —Jovian . . . . . 778	778	Murder of Aëtius—Death of Valentinian III.—Petronius Maximus—Rome taken by the Vandals—Avitus—Ricimer— Majorian—Libius Severus—Aegidius— Marcellinus—Anthemius—Olybrius— Ricimer captures Rome—Glycerius— Julius Nepos—Orestes—Romulus Au- gustus—Odoacer—End of the Western empire—Art and literature . . . . . 795	795
LECTURE CXLV.			
Jovian, continued—Valentinian I.—Va- lens—Gratian—Invasion of the Goths and Huns—Admission of the Goths into the empire—Insurrection at Marciano- polis—Battle of Adrianople—Theodo- sius, colleague of Gratian . . . . . 781	781		

LECTURES  
ON THE  
HISTORY OF ROME.



# THE HISTORY OF ROME.

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## LECTURE I.

ANCIENT HISTORY may be divided into that which precedes the universal sovereignty of Rome, and which has many central points; and the history of the Roman dominion, of which the central point is Rome extending its influence in all directions. Other nations, such as the Egyptians, did indeed exercise an intellectual power upon foreign peoples, but they were wanting in spirit. Others again, such as the barbarous nations of the Celtic race and other tribes, acquired importance merely by their mighty conquests. Greece ruled by her spirit; but Rome united all things—the greatest political perfection, power, and spirit; and her influence became more lasting and extinguishable than even that of Greece. It has continued down to the latest centuries, nay, even to our own day. Roman history can boast of the greatest characters, actions, and events; it contains the complete development of the whole life of a nation; such as is not found in the history of any other people. The development of Eastern history is altogether unknown to us. The Egyptians, from the first, appear divided into castes, that is, living under fixed forms, within which they continued throughout all the centuries of their existence. They remain unchangeable like their mummies. All the changes that we perceive in them are only the symptoms of decay. The growing up of the Roman people takes place almost

before our eyes. They too, it is true, lived in fixed forms at a very early period; but their origin is not an impenetrable mystery to us. Other nations are, like the buds of flowers, yet enshrined in their leaves; they grow up, but die away before they are unfolded, or unfold themselves only imperfectly, just as we see in the case of individual men; for of many thousands, a few only are not thwarted in their development. In modern history, the English alone have passed through the same perfect career of development as the Romans; and in a cosmopolitan point of view therefore, the history of these two nations must always be the most important. I shall endeavour, with the help of God, to relate to you, in one course, the complete history of Rome, during its twelve *saecula*, which in the legend of Romulus are prophetically stated as the period of Rome's duration. First I have to relate to you the history of the nation and city, and next, that of the empire and the mass of nations which acquired the name of Romans. The time I shall devote to my subject will, I believe, be sufficient; for it is not my intention to follow out my inquiries step by step, but only to give the results and conclusions to which I have come.

But before proceeding to the history, let us make ourselves acquainted with its sources. Here the first question

which presents itself is, Is any credit due to the sources of the earliest history, previously to the rise of an historical literature? In former times, and down to the eighteenth century, Roman history was treated with a full belief in its truth, that is, uncritically, the confusions and inconsistencies of its early periods being endured without uneasiness; and such also was the case during a great part of the eighteenth century. In the sixteenth, seventeenth, and eighteenth centuries scholars were occupied with the details of history, — chronology, numismatics, and the like. Eminent men, as Tillemont, Eckhel, and others, produced admirable works as far as the detail is concerned; but it is only in our days, after scepticism had taken possession of the field, that history has been subjected to criticism. But, as is usually the case in such matters, these critical researches, after being once set on foot, have become the principal object in Roman history. This may be well for a time, but it must not always be so: there is too much of it already; it is dwelt upon too much, and we must try to counteract this tendency *pro virili parte*.

You may expect, first, a view of the literature of Roman history; secondly, results, and not researches, concerning the early portions of it; and thirdly, the history of the later times, down to the period when the Roman world assumes a different aspect; and it will be my endeavour to render these later times as clear and distinct to you as I can.

I shall first speak of the historians of the commonwealth. They may be divided into great classes, though every thing cannot be classified without taking some artificial or unnatural point of view. I have already said that there was a time when a simple and sincere belief in the authenticity of the ancient historians prevailed; when the history of Rome was read like that of the German emperors; and it would have been looked upon as a crime or frivolity, if any one had ventured to doubt the historical character of Roman history as transmitted by Livy. It is now incomprehensible to us how even very ingenious writers, men far above us,

took the details of ancient history for granted, without feeling any doubt as to their credibility. Thus Scaliger believed the list of the kings of Sicily to be as authentic and consistent as that of the kings of France. Men lived in a state of literary innocence, which continued after the revival of learning, so long as history was treated merely philologically, and was studied from books alone, and so long only could it last. For when, in the seventeenth century, in the Netherlands, England, France, and Germany, the human mind began to assert its rights, and men raised themselves above their books to that kind of learning which we find among the ancients, some few, though not without great timidity, began to point out the incongruities and contradictions of Roman history which had been noticed indeed before, but had been passed over in reverential silence. Valla,<sup>1</sup> who was so deeply imbued with the spirit of the ancients, that one of his writings was for a long time believed to be the work of an ancient Roman, was struck by the accounts of Livy, and was the first who proved that there were impossibilities in his narrative. His example was followed by Glareanus, whose remarks irritated Sigonius, and induced him to oppose the ingenious German, although Sigonius himself had no idea of historical criticism. At the conclusion of the sixteenth century, Pighius, a native of the province of Cleves, in the Netherlands, had peculiar ideas about historical criticism, and exhibited prodigious learning in compiling; he was in possession of many good ideas, but did not carry them out successfully. Next came the investigations of Perizonius, which are masterly, and were followed by the sceptical works of Bayle and Beaufort: and here we see what always happens, when truth is

<sup>1</sup> It is one of my most pleasing recollections, that I discovered his tombstone, and induced the chapter of the Lateran to replace it in their church, of which he had been a canon. Italy was at that time far in advance of the rest of Europe: next followed the French, and a short time afterwards the Germans, to whom philosophy was resigned by the former.—N.

not separated from falsehood, or when the separation is not carried on after it has been begun, and after the human mind has struck into such paths that it has become impossible to avoid the complete separation. In the eighteenth century Roman history could not possibly be believed with the intense faith of the sixteenth, when men viewed every thing Roman with as much interest and delight, as they looked on their dearest friends. So long as this was the case, Roman history might perfectly satisfy even the noblest minds without any critical investigations. But when the sphere of the human mind became extended, as in the seventeenth and eighteenth centuries, Roman history could not possibly escape the general influence, since it came into contact with other sciences. Sigonius had felt great pleasure in inquiring, whether a man, whose name is otherwise unknown, had been tribune twice or three times : and woe to us, if we treat these men with contempt, as if they had busied themselves with trifles ! But men now began to turn their attention to what they could comprehend ; they endeavoured to understand what they had before collected ; reason began to assert its rights. Had Perizonius pursued the path he had struck into, had he not undertaken investigations of quite a different kind, had he been able to believe in the possibility of gaining positive results, matters would have been far better ; but without faith no such results can be gained, as in life a man can accomplish nothing without faith. His successors did not proceed in the path which he had opened up ; and those who attempted it had not the same extensive powers which he had possessed. The early history of Rome was thus known to be full of contradictions ; and it could be demonstrated that statements of much greater authority overthrew the accounts given by Livy or Dionysius. Beaufort was a man of great talent, but had not sufficiently pursued philosophical studies : he belonged to that light class of sceptics, who feel no want of a positive conviction, and he went so far as to reject the wheat with

the chaff, and to assert that the first four centuries of Roman history deserved no credit. Abbé Pouilly had done the same before him in the "*Mémoires de l'Académie des Inscriptions et des Belles Lettres* ;" but in a very rude manner. It was the age of extreme scepticism. Beaufort's undertaking had great influence upon the English and French writers, such as Hook and Ferguson, none of whom was able to enter into the matter so deeply as he had done. Scepticism, originating with Bayle and strengthened by Freret, now prevailed generally ; and men grew ashamed of believing Roman history, as it was transmitted to them. This was an easy method of getting over its difficulties. Although Beaufort was not animated by the desire to examine his subject in a scientific and thorough manner, yet he forms an era in historical literature. It is remarkable that the most untenable statements, when not attacked by Beaufort, were never doubted ; as, for instance, the seven kings of Rome, the chronology, &c. : the year of the foundation of the city was believed to be as firmly established as any thing could be. Men saw the mote, but not the beam, and were at last so much perplexed, that they believed without knowing why, and rejected what was very well established. After such a state of things a sound and healthy criticism must follow, or else the subject is lost.

In fact, it is Livy himself who has brought the early history of Rome into disrepute, not merely because he relates things contradictory and impossible, but because he states in the introduction to his sixth book, that a new era and a new life began in Roman history from the destruction of Rome by the Gauls ; that, during the long period previous to this, history was handed down only by tradition, and that all written documents concerning the earlier times, were destroyed in the burning of the city. This statement is only half correct, or rather altogether false, and gives us quite an erroneous idea of the early history. In my next Lecture, I shall



speak of the sources of Roman history previous to its literature. The first historian we meet with lived in the second Punic war, and yet what a

minute account we have in Livy of the preceding times and of the wars with the Samnites! But of this to-morrow.

## LECTURE II.

THAT even in the earliest period of Roman history there was writing in Italy, and that therefore there might have been writers, cannot be doubted, for we have coins bearing the name of Sybaris, which is said to have been destroyed four years before the establishment of the commonwealth. Hence it cannot be questioned, that the art of writing was known among the Greeks of Italy: why not, then, among the Romans? Another question is, whether writing could be *common* among the Romans, and the answer to this must depend on another: namely, whether they were acquainted with the Egyptian papyrus; for before its introduction the art of writing cannot have been in very general use.<sup>1</sup> The census at Rome, which could not be taken without a great deal of writing, and required a minute system of book-keeping, is a proof that the art was extensively applied. We have, therefore, no reason to deny, that history might have been written at Rome previously to the banishment of the kings; and it would be arbitrary scepticism to doubt, that there existed written laws long before the time of the Decemvirs: their collection is ascribed to L. Papirius, who perhaps lived in the reign of the second Tarquin, though some refer him to the time of Tarquinius Priscus. The art of writing was therefore applied, in all pro-

bability, not merely to the purposes of common life, but even to books; and when Livy, speaking of the times previous to the burning of the city, says *per illa tempora literae raræ erant*,<sup>2</sup> this is one of those notions in which he was misled by opinions prevalent in his own age, and which are only partially true. Authors, in the modern sense of the word, that is, such as write for the purpose of being read by a public,—making collections of laws is a different thing,—certainly did not exist at all in the earliest times; but when, in regard to a written literature (*literæ*), Livy adds, *una custodia fidelis memoriae rerum gestarum*, he goes too far. We must not take a one sided view of the origin of an historical literature: we have parallels to that of Rome in the history of our ancestors, and of other nations; for in Greece Chronographies and Toichographies—annals kept in temples by the priests—are mentioned by Polybius,<sup>3</sup> and this practice continued down to his time. Analogous to these are our *Annales Bertiniani*, *Fuldenses*, and others, which sprang up at the end of the seventh century, and were continued throughout the period of the Carolingians, until afterwards they gradually disappeared, for the same reasons which made them cease among the ancients. Such annals were composed of single unconnected lines: they would begin, for instance, with the thirteenth year of the reign of King Dagobert, and by the side of this date the events of the year were recorded in the briefest manner possible, e. g. *Saxones debellati*. These annals, too,

<sup>1</sup> The use of alphabetical writing is altogether very ancient. It sprang from three distinct places; viz., Egypt (or perhaps Ethiopia), Phœnicia, and Babylon, and all three are independent of one another. It is an established fact, that the art of writing was known in Europe before the time to which we assign Homer, for we have inscribed monuments of that early age. But the question whether Homer wrote his poems or not, is of quite a different nature.—N.

<sup>2</sup> vi. i.

<sup>3</sup> v. 33: οἱ κατὰ καιροὺς ἐν ταῖς χρονογραφίαις ὑπομνηματιζόμενοι πολιτικῶς εἰς τοὺς τοίχους.

were kept for the most part in churches; and, besides the names of the emperors, we usually find those of the bishops also. After the chronicles of the empire, there sprang up those of single towns. We find such annals at different times and among the most different nations; and, indeed, there is nothing more natural, than that a person should make such brief records to assist his own memory. Hence the custom of our ancestors to record in their Bibles everything of importance which happened in their families, and the same interest which we feel in our families, the ancients felt in the state. Some small towns in Germany still continue to keep such annals: in short, the custom is a very ancient one; and we may therefore assume, that in Rome too they existed in great numbers, where they had not been accidentally destroyed. As the year received its name from the annual magistrates, it was necessary to preserve their names in the *Fasti* for all kinds of documents. This custom prevailed among the Romans from the earliest times down to the latest emperors; and no document was valid without the names of the consuls as the mark of its date. In these annals the banishment of the kings no doubt formed an era, a *regibus exactis*; they contained the names of the consuls, together with the principal events of the year.<sup>4</sup>

The *Annales Maximæ*, or, as they are more rarely called, the *Annales Pontificum*, belonged to this kind of annals; they were authentic and comprehensive documents, the object of which was to record whatever was deemed worthy of remembrance. Cicero and Servius say,<sup>5</sup> that the pontifex entered the most important events in an *Album*,<sup>6</sup> which was exhibited in his house, and where it may be supposed that many persons took copies

for their own use; as in fact we know was done in the case of Cn. Flavius, who set up a copy of the *Fasti* in the Forum. Now Cicero says that these annals had been preserved from the commencement of the Roman state down to the pontificate of P. Mucius;<sup>7</sup> but this is a rash assertion, which we will not impute to him as an intentional misstatement. We must not, however, allow ourselves to be misled; for though the pontifical annals had doubtless been kept from very early times, it can be demonstrated that those of the most ancient periods existed as late as the time of Cicero. We cannot, in short, infer from his words, that in his time the Romans still possessed authentic annals, continued uninterruptedly from the beginning of the Roman state. Cicero does not by any means say this, but only states that it had been a custom observed from the beginning to record the events: he nowhere asserts that the records existed complete in his own day. Vopiscus says that they were kept from the death of Romulus, and accordingly began with Numa. This, however, is nothing but the opinion of an unlearned person: as the pontificate was traced to Numa, it was necessary to refer the annals to the same time.

It is certain that the pontifical annals, such as they existed in later times, were not the ancient and original ones, but were restored and made up, as well as might be, and that it was only the constant use and regular continuation of them that established the belief that they were transmitted in their original form from time immemorial. These annals were kept as long as there were pontiffs, for the pontiffs were the repositories of the laws and fixed the chronology, and thus were the natural keepers of historical records. But if annals had existed, which went back even no further than the earliest history of the commonwealth, and began from the banishment of the kings, it is inconceivable how they could have recorded

<sup>4</sup> See vol. i. p. 263.

<sup>5</sup> *De Orat.* ii. 12; Servius on *Virg. Aen.* i. 373.

<sup>6</sup> *Album* is a table, or board, covered with gypsum (a proof of the difficulty of finding a suitable writing material), on which the contents of the public documents were painted. Such was the case also with the *edictum prætorium*, and many other documents.—N.

<sup>7</sup> Mucius was consul B.C. 133.

the most absurd and contradictory things. Besides, would not Fabius have made use of them? Would not Livy have consulted them, where he says,<sup>9</sup> that the battle of Regillus was placed by some in the year 255, and by others in the year 258?<sup>9</sup>

Thus if, on the one hand, we cannot doubt that the earliest history of Rome was founded on an authentic basis, on the other hand we cannot believe that the pontifical annals were preserved from the remotest times. My own opinion is, that Livy made the above-mentioned mistake in the introduction to the sixth book, because he found no pontifical annals of an earlier date than the destruction of Rome by the Gauls, and thence drew the sweeping conclusion, that no annals existed, although many others may have escaped destruction; for example, those kept by private persons living on the Capitoline and others. We have, in fact, the most unexceptionable evidence that many very ancient annals were preserved;<sup>10</sup> but that the pontifical annals did not go beyond the burning of Rome by the Gauls,<sup>11</sup> may be seen from the passage of Cicero, in which he speaks<sup>12</sup> of the eclipse of the sun, which happened fourteen or fifteen years before the destruction of the city, and on which Mr. Edward Heis of Cologne has written, at my suggestion, a beautiful and elaborate treatise.<sup>13</sup> This eclipse, which was visible in Gades at sunset, had been mentioned in the pontifical annals as quite a remarkable phenomenon, and was connected with the passage of the Gauls across the Alps, which took place about the same time. Now Cicero says, that the preceding eclipses were calculated backwards up to the one during which Romulus was carried up to heaven. This calculating

backwards shows, that an attempt was made to supply the loss of actual observations. Such eclipses influenced the regulation of festivals, and were essential parts of the contents of the pontifical books;<sup>14</sup> they would therefore have been recorded, and not have been calculated backwards, if the *annales maximi* had been preserved. This is unsophisticated evidence of what I have said.

Servius says<sup>15</sup> that the annals were divided into eighty books. That this scholion does not exist in the Codex Fuldensis is no argument against its genuineness; for I do not see why any one should have fabricated such a statement. In the time of Cicero, specimens of these pontifical annals were in the hands of the public: they formed a part of the Roman literature. In the introduction to his work *De Legibus*, he says:<sup>16</sup> *post annales—quibus nihil potest esse JUCUNDIUS*. How they could be called *jucundi* is hardly comprehensible. All the manuscripts of the work *De Legibus* are but copies of one and the same, and were made in the fifteenth century, after 1420; and the reading of all is *jucundius*. Ursinus wished to change it into *jejunius*,<sup>17</sup> others into *incomptius*. But an author like Cicero may sometimes use a bold expression which puzzles us, and he may have meant to say, that these annals were delightful to him, merely because they were historical records of great antiquity. Whether, however, this was actually his meaning in this passage, is a very doubtful point; but we can make no alteration.

From the passages in which Livy mentions the appointment of the magistrates<sup>18</sup> in very short sentences, we may form some idea of the character of these pontifical annals. I believe that the copy which he used did not begin till the year 460; otherwise I do not see why he did not always observe

<sup>8</sup> ii. 21.

<sup>9</sup> Compare vol. i. p. 556; vol. ii. p. 3.

<sup>10</sup> Vol. ii. p. 2, foll.

<sup>11</sup> The house of the pontifex maximus was situated in the lower part of the city, and was probably destroyed. In the Gallic conflagration, not even the twelve tables were saved; how, then, could it have been possible to save those *Alba*?—N.

<sup>12</sup> *De Re Publ.* i. 16.

<sup>13</sup> Compare vol. i. p. 251, note 675.

<sup>14</sup> Compare Cato in *Gellius*, ii. 28.

<sup>15</sup> On *Aen.* i. 373.

<sup>16</sup> i. 2.

<sup>17</sup> In vol. i. p. 250, Niebuhr seems to have adopted the correction of Ursinus.

<sup>18</sup> For instance, at the conclusion of the tenth book, and in the third and fourth decads at the end of every year.—N.

the same practice. These annals first recorded the names of the magistrates, and then the memorable events of the year, and the persons who had most distinguished themselves in it: I am convinced that according to their original plan they never entered into the details of battles or of other subjects. That which constitutes the real character of history they never possessed in any higher degree than the annals of the middle ages.

It yet remains to be mentioned that Diomedes<sup>19</sup> says, that the *res gestae populi Romani* are recorded by the pontiffs and scribes (he uses the present tense). Although every thing which such writers say, must not be subjected to a rigid criticism, still the expression is important: he cannot have wished to deceive, and must have known the truth. Now, when Cicero says that annals were kept only down to the time of P. Mucius, I believe that two kinds of annals must be distinguished. The old ones may have ceased then, and yet have been continued in some sense. It is possible that at the time of P. Mucius they were neglected as superfluous, for a literature had then sprung up among the Romans,<sup>20</sup> and another mode of recording the events of the day was probably adopted about that time in the *Acta Diurna*.<sup>21</sup> Nevertheless, annals may in a certain sense still have been continued; at least similar annals may have been kept privately. I have been led to suppose this by the immensely important fragment of a Roman chronicle of the tenth century which was discovered by Pertz.<sup>22</sup> The author of it was Benedict, a monk of the monastery of Soracte. In this frag-

ment, relating to the time of Pope John VIII., many *ostenta* are recorded, and, what is curious enough, in the genuine old language, as for example, *murus de coelo tactus est*. In many monasteries the annals of St. Hieronymus were continued, the most remarkable events of every year, such as the accession of an emperor, being entered in them. It is this fact, which induces me to consider the circumstance of Diomedes having used the present tense in the abovementioned passage, as one of great importance. In the work "*De Origine Gentis Romanæ*," first published by Andrew Schottus<sup>23</sup> as a work of Aurelius Victor, the pontifical annals are ridiculously adduced for the settlement of Æneas in Italy.<sup>24</sup> This work is an impudent fabrication<sup>25</sup> by a literary impostor of the fifteenth or sixteenth century. He refers his readers to a number of books which did not exist, and, probably from sheer ignorance, attributes to Cato statements in direct contradiction to those which he actually made, and which we know from Servius.

These different annals were the only historical records of the earliest times that the Romans possessed; all the rest which are mentioned by Livy, the *libri magistratuum*, *libri legum*, etc., are Fasti, beginning with the time of the republic; they were no doubt very numerous, and of the same kind as the *Fasti Capitolini* and *Triumphales*, which are still extant, fragmentary, and in many places forged. These Fasti, which are still to be seen in the Capitol, where they were set up by Augustus, and which were drawn up by Varro or Atticus,—the so called Capitoline Fasti, which formerly stood in the Curia Julia, contained records of remarkable events only in some years. The Triumphal Fasti, which stood in another place in the same building, assuredly existed from very early times, and contained a record of every triumph, perhaps more detailed

<sup>19</sup> iii. 480.

<sup>20</sup> Compare vol. i. p. 250.

<sup>21</sup> The *Acta Diurna* are often called simply *Diurna*, from which the modern word journal has been formed. They were a kind of city newspaper, in which the Minutes of the proceedings of the senate also were published. Our system of book-keeping, called the Italian, was known among the Romans.—N. See vol. ii. p. 602, note 1319.

<sup>22</sup> Respecting this chronicle, see *Archiv für die ältere Deutsche Geschichtskunde*, v. p. 146. Pertz has since (1839) published it in his *Monum. Germ. Hist. Script.* tom. iii. p. 695, foll.

<sup>23</sup> Antwerp, 1579.

<sup>24</sup> In cap. 9. In the same book (c. 7) we find the pontifical annals also adduced for the arrival of Hercules in Italy.

<sup>25</sup> Comp. vol. ii. p. 9, note 11.



than in those which have come down to us. Livy's statements about booty which was taken, were no doubt derived from these triumphal Fasti. But it is singular that they are not mentioned till the year after he commenced making his extracts from the pontifical annals.

Another source of information about the earliest history of Rome, was the *commentarii pontificum*. These were a collection of legal cases from the ancient public and ceremonial law, and contained at the same time the decision of the pontiffs in cases belonging to their jurisdiction, resembling the decisions of the jurists in the Pandects. This collection formed the basis of that body of precedents, from which those who studied the law, derived their general principles.

Of the same kind were the *libri pontificum* and *libri augurales*. Our historians quote from them the formula customary in declarations of war, which Ancus is said to have first introduced; the *deditiones*, the formula *foederis*, the *provocationes ad populum* and the like, were, according to Cicero, likewise recorded in them. History has been enriched from these books, as if they contained authenticated historical facts.

Other materials for the annalists were the *Laudationes funebres*, which are spoken of by Livy and by Cicero in his "Brutus;" from the latter it is clear; that there existed very ancient specimens belonging to the period preceding the war of Pyrrhus. They were preserved in the atrium, beside the images of the ancestors, and were funeral orations delivered in the Forum by the nearest relatives of the deceased; at first they were of course simple and without any pretension. According to Cicero, the orator always dilated upon the history of the family and its ancestors, that is, the family of the deceased was always traced to the most remote ancestors. But both Livy and Cicero complain that from these laudations many falsifications had been transferred into Roman history; for the Romans, although in other respects truthful, possessed extraordinary vanity in all things connected with the state and

their families, which they considered themselves bound to praise: hence those laudations not seldom contained forged victories and triumphs.

Such were the materials in existence when the first historians appeared. There were indeed also many laws and other documentary monuments, but they were dead treasures and noticed only by a few; for on the whole the Romans were too careless and unconcerned to avail themselves of such things. A remarkable instance of this is Livy himself, who among other things, is satisfied with stating<sup>26</sup> that he had heard from Augustus, that there was an inscription in the temple of Jupiter Feretrius, without ever thinking of examining it himself in the Capitol, where assuredly he must have been often enough.

The annals, many of which must accordingly have existed in later times, constitute one source of Roman history, though we are unable to fix the time when they commenced. But they are, after all, only a dry and meagre skeleton of history. Along with them there existed a living historical tradition, comprehending all the details of the history of the past. Such a tradition may have consisted either of narratives transmitted from father to son, and was thus left wholly to memory,—that unsafe repository for historical facts,—or of written compositions. The latter were poetical tales or lays. Here we are entering upon a field, where scholars will never be able to agree so long as they take a one-sided view of the matter. Some believe that the subject of these lays arose out of poetical traditions, as is the case in the legends of Iceland and the northern sagas: others deny that they are the origin of history, and adhere to the written history as it is transmitted to us. I remain unshaken in my conviction, that a great portion of Roman history arose out of songs—that is to say, a body of living popular poetry—which extended over the period from Romulus to the battle of Regillus, the heroic age of Rome. It is evident

to me, that several portions of what is called the history of this period formed complete and true epic poems. If passages like that of Varro and of Cicero, in which the latter states from Cato,<sup>27</sup> "that among the ancient Romans it was the custom at banquets for the praises of great men to be sung to the flute," have no authority, I really do not know what have any. The three inscriptions on the monuments of the Scipios, written in the Saturnian verse, may be regarded as specimens of ancient songs, as I have shown in my history of Rome. The story of Coriolanus, the embassy of his mother, his return and death among the Volscians, which cannot be reconciled with chronology, were the subject of an epic poem. The story of Curtius was another, which has been placed in a time to which it cannot possibly belong. If persons

will dispute the existence of such lays as that of the Horatii, I can point out verses in Livy from the lay of Tullus Hostilius and the Horatii; and although I cannot prove the existence of any verses in support of the lay of the Tarquins, I need only refer to the fact, that such stories are always related in a rhythmical form, and not in prose.<sup>28</sup> Surely those who invented such brilliant stories were not wanting in the *os rotundum* to give them a poetical form. Now, have these songs ever been stripped of their metrical form and resolved into prose? Into this point I will not enter: my conviction, which alone I have to express here, is, that at one time these lays had a poetical form. All that is really beautiful in Roman story arose out of poetry.

<sup>27</sup> *Tusc. Quæst.* iv. 2; vol. i. p. 254, foll.

<sup>28</sup> The traditions of the Sandwich Islanders, which have lately been made known, are highly interesting in this respect. They consist partly of narratives and partly of songs, which have been collected by missionaries.—N.

### LECTURE III.

WE often find that all the historical documents of a nation are lost, either in consequence of a general calamity or through the tyranny of individuals, and that attempts are afterwards made to restore them. Such was the case in China, when the ancient books were destroyed at the command of an emperor, and afterwards restored from the recollections of aged men, and with the assistance of astronomers who calculated the eclipses of the sun and moon.<sup>1</sup> Such was also the case in Rome, when the Sibylline books were restored, as far as was possible, after the Capitol had been burnt in the time of Sulla. There are many instances of the same kind, especially with regard

to religious books; and a Jewish tradition relates the same thing of several books of the holy scriptures, which were restored after the destruction of the Temple. We may account in a similar manner for the fabulous antiquity of the Egyptians. That the eighteenth dynasty of Manetho is historical, has been firmly established since the gigantic discovery of our age, which has taught us to read the Egyptian hieroglyphics. Previously to this dynasty, Egypt was ruled by the so-called Hycsos, under whom the ancient documents are said to have been lost. Notwithstanding this, however, we are told that seventeen dynasties preceded the historical one; and the Egyptians make the most extravagant claims to antiquity: all this is the consequence of such lost annals. The same want of criticism, which Roman history has experienced, meets us in the history of Egypt, and those who

<sup>1</sup> Schlosser, *Geschichte der alten Welt*, i. i. p. 78, says: Klaproth indeed states that these books were restored from the recollections of aged persons, but he has not stated whether he has any Chinese authority for it. Compare vol. i. p. 251.

do not believe in Champollion's discovery have denied the historical character of the eighteenth dynasty, and rejected the whole history down to the time of Psammetichus as fabulous, merely because they did not see where else to stop. Sound criticism would say: the expulsion of the Hycsos is the boundary, and all that lies beyond is an historical forgery, made by one who attempted to restore the ancient history either at random, or from slender remains, or who found pleasure in the exercise of his invention. Wherever in history we find numbers capable of being resolved into arithmetical proportions, we may say with the greatest certainty, that they are artificial arrangements to which the history has been adapted, as the philosopher exclaimed, when he saw mathematical diagrams in the sand, "I see traces of man." The course of human affairs is not directed by numerical proportions, and wherever they are found, we may according to a law, which Leibnitz would have laid down as an axiom, declare unhesitatingly, that there is an arrangement according to a certain plan. Such artificial arrangements we find in the Indian and Babylonian eras: long periods are divided according to certain numerical proportions. Such also is the case with the history of Rome from its foundation down to the burning of the city by the Gauls. For this period 360 years were assumed, which number was taken for granted by Fabius and Polybius, who copied it from a table (πίναξ).<sup>2</sup> Of these 360 years 240 were allotted to the kings, and 120 to the commonwealth. In all Roman institutions the numbers 3, 10, 30 and 12 play an important part; all numerical combinations connected with Rome arise out of multiples of three, which is most frequently multiplied by ten, as 30, 300, 3000. Such also is the number of the 360 houses at Athens in its ancient constitution. Of the 240 years assigned to the kings 120 is the half, and hence the middle

of the reign of Ancus Martius, the fourth king, falls in 120. He is the creator of the plebeian order, and consequently 120 is the date of the origin of the plebeians. Thus we have three periods, each containing ten times twelve years: 120 years previously to the existence of the plebeian order, 120 with plebeians; and 120 without kings. How could it ever have happened that of seven kings the fourth should just fall in the middle of the period assigned them, and that this period should be divided into two halves by the middle of the reign of the fourth king?<sup>3</sup> Here is evidence for those who will judge with reason and without prejudice; even if there were not other circumstances in the history which involve impossibilities, such as the statement that Tarquinius Superbus was a grandson of Tarquinius Priscus.<sup>4</sup> For this whole period, then, down to the Gallic conquest, we have a made-up history at least with regard to chronology. The restoration may indeed have been founded upon the scanty information gained from the pontiffs, and on the date of the eclipse of the sun mentioned by Cicero. No prodigies are mentioned by Livy before the burning of the city by the Gauls. It is true, they are not frequent during the first century after that event, but this only proves that he did not pay any especial attention to them till he had finished the tenth book, after which, and not till then, he had annals as his sources. Dionysius likewise describes no prodigies previously to the Gallic conquest.

Yesterday I directed your attention to the fact, that the question concerning the sources of early Roman history has been considered from a false point of view. It is quite a matter of indifference, whether the ancient history existed in the form of poems or in prose, whether it was written or not, and whether those poems still existed at the time when historians began to compose their works or not. I will only remind you of what we have seen

<sup>2</sup> Dionysius, i. 74. Compare vol. i. p. 242, note 656.

<sup>3</sup> Compare vol. i. p. 252, foll.

<sup>4</sup> Vol. i. p. 372, foll.



in our own literature, for those who have studied its history, know the various changes which our epic poems have undergone. Since we have become acquainted with the poem of Hildebrand and Hadubrand, first published by Eccard, and afterwards explained by W. Grimm,<sup>5</sup> who shewed that it was part of an alliterative poem in a language which is not Franconian, but a modification of the Gothic, we see the threads of the whole cycle. It is much more ancient than the time of Charlemagne. In the tenth century a Latin paraphrase of it was made, which is very good considering the time. We know the lay of the Nibelungen only in the form which it received in the thirteenth century; but the original must be referred, as Schlegel has shewn very satisfactorily, to the frontiers of Suabia, and may have passed through various phases. Afterwards, we find the much more prosy paraphrase of it in the *Heldenbuch*; and at a still later period, we find the prose work, *Siegfried*, constructed out of the same materials; and in this last form it has, for some centuries, always been in the hands of the people. If the Nibelungen and all accounts of it were lost, and some critic discovered the ancient poem in the story of *Siegfried*, the case would be quite the same as what has actually happened in the history of Rome. The lay of the Horatii, of which we have three verses in Livy, stands precisely on the same footing as if we had nothing of the Nibelungen but the few lines preserved in Aventinus.<sup>6</sup> The three

verses of the lay of the Horatii preserved in Livy are quite sufficient;<sup>7</sup> for the form of the lays, as I have said, is totally indifferent in investigating the origin of the history of Rome. Such lays exist for a considerable time along with the records of chronicles. The lays in Saxo-Grammaticus stand by the side of the Runic records; and he has combined them in such a manner that history is intermixed with poetical traditions, which cannot be reconciled with one another. I believe that Rhianus did not go to work arbitrarily in his description of the Messenian war, but composed his beautiful epic poem out of old Messenian popular lays. His work, like that of the Nibelungen, embraced a long period of time. What this poem related of the war with Sparta and of Aristomenes, is absolutely irreconcilable with the lists of the Spartan kings, which Pausanias found in ancient records, and with the contemporary songs of Tyrtaeus. Tradition goes on forming and developing itself in such a peculiar and thriving manner, that it becomes more and more estranged from history. Long before the existence of a literature, however, there are men, who, endowed with all the requisites of an historian, write history in the form of chronicles, and not unfrequently in the most brilliant manner. We have an instance of this in the history of Cologne. The chronicle of that city is one of the most splendid monuments of our literature;<sup>8</sup> and it is to be lamented that we have not any good edition of it, as there are so many materials still in the Cologne archives, from which it might be completed. Some of the most beautiful portions of it may have been written as late as the fifteenth century. Now we find in this chronicle, among other

<sup>5</sup> Niebuhr here refers to the fragment of the lay of Hildebrand, which was first published by Eccard in his *Franc. Orient.* i. p. 864, foll. It was for a long time believed to be a fragment of a prose work in the old idiom of Lower Germany, until its alliterative character was pointed out by the brothers Grimm in their edition of "Die beiden ältesten deutschen Gedichte aus dem achten Jahrhundert." Cassel, 1812.

<sup>6</sup> His real name was John Thurnmeyer; he wrote a chronicle in Latin (1566, in fol.) and afterwards translated it into German. But Niebuhr seems to be mistaken here in mentioning the Nibelungen instead of the Waltharius, which is a Latin poem of the tenth century, and from which Aventinus quotes the lines i. 9, foll. Aventinus often refers to the

ancient heroic epics, though without quoting them verbatim. Comp. W. Grimm, *Deutsche Heldensage*, p. 302.

<sup>7</sup> See vol. i. p. 258.

<sup>8</sup> Of this chronicle Niebuhr speaks in several of his letters, but especially in one to Savigny. (*Lebensnachrichten*, vol. ii. p. 370 and 373, where he calls the author of the poem mentioned below in our text, Gotthard Hagen, instead of Godefrid Hagen.)

things of the same kind, the poem of Godefrid Hagen on the feuds of the bishops ; it is written by a contemporary, and is exceedingly pleasing.<sup>9</sup> The writer of the chronicle, perhaps feeling the beauties of the poem, has made a paraphrase of it in prose, and incorporated it with the chronicle. In some passages the rhyme is still preserved, and in others but slightly changed. The portion of the work, in which we have the poem reduced to perfect prose, forms a strange contrast to the chronicler's simple and meagre records of subsequent periods. Here then we have an instance, in times previous to the existence of a literature, — for the author who had made several other chronicles did not write for the public, — every thing is constantly changing its character. If we compare what the same chronicle relates on the same subject, perhaps from ecclesiastical records, we shall find that the two accounts are irreconcilable. The earliest history of Russia by Nestor, a monk of the eleventh century, whose work has been continued by various monks of the same convent and always in the strain and character of its first author, is an instance of a similar kind ; I myself possess one of these chronicles of a late period. As for many of these chroniclers, no one knows who they are, nor will any body ever know, and yet if they had lived in a literary age they would have been honourably distinguished.

Such chronicles were undoubtedly written at Rome before the period of its historical literature, which sprang up when the Romans, such as Fabius, M. Cincius, and C. Acilius, began to write for the Greeks, in order to rescue their own history from the contempt with which it was looked upon by the latter. All the nations of antiquity exerted themselves to gain the respect of the Greeks ; and it was not Alexander alone who said, "How much have

I undertaken, Athenians, to gain your praise."<sup>10</sup> Hence the first Roman authors wrote in Greek, not in Latin ; for their countrymen had their chronicles, which every one read for himself, and which were written by persons who had no notion of literary fame.

Cicero says, that history had been falsified through the funeral laudations of great men, which were preserved in their families,<sup>11</sup> and Livy speaks to the same effect :<sup>12</sup> these praises, however, were not always mere fabrications, but some were authentic documents of a very early date. The expulsion of the kings falls twenty-eight years before the invasion of Greece by Xerxes ; and from that time we have innumerable literary monuments of the Greeks. When we read in Livy and Dionysius the account of the seven consulships of the Fabii,<sup>13</sup> the battle of the Veientes, the history of Q. Fabius Maximus (in the last book of Livy's first decad), we have no other alternative but believing that we have before us either an extremely well-contrived fiction, or an historical narrative founded upon ancient documents belonging to the house of the Fabii. In the last books of Livy's first decad we have such accurate accounts of the campaigns against the Samnites, that I have no doubt but that either Q. Fabius Maximus himself wrote for his house the history of the wars in which he was engaged, because his house was of great historical importance ; or that the Fabii possessed numerous documents relating to their early history.<sup>14</sup> This supposition becomes more probable, if we consider the great intellectual cultivation which we find among the Fabii. One of them, C. Fabius Pictor, was an excellent painter, and produced a monument of the highest beauty even one hundred years before the Hannibalian war ;<sup>15</sup> Q. Fabius Pictor, the historian, wrote very beautiful Greek, for no one censures him for

<sup>9</sup> A separate edition of the poem has been published by E. von Groote, Cologne, 1834, under the title, "*Des Meisters Godefrid Hagen, der Zeit Stadtschreibers, Reichchronik der Stadt Cöln aus dem dreizehnten Jahrhundert,*" with notes and a vocabulary.

<sup>10</sup> Plutarch, *Alex.* c. 60.

<sup>11</sup> *Brutus*, 16. Compare *Cic. de Leg.* ii. 24.

<sup>12</sup> viii. 40. Compare Plutarch, *Numa*, c. i.

<sup>13</sup> Vol. ii. p. 175, foll.

<sup>14</sup> Vol. ii. p. 8.

<sup>15</sup> Vol. iii. p. 356.

having written barbarous Greek. The Fabii seem to me to have been a learned family; and I believe they had their chronicles long before one of their number wrote a history in Greek.

Now, how did the Romans proceed when they first began to write the early periods of their history? The part previous to the establishment of the commonwealth was composed in accordance with the tables kept by the pontiffs, and these, as we have seen, were made up according to mere numerical combinations. These tables were taken, without any criticism, for authentic documents, and if any one, for instance in the fifth century, wanted to write a history of Rome for his house, he first had recourse to the annals. But at the same time he found the old songs of Romulus, the Tarquins, Coriolanus, Camillus and a number of others. The events they related he inserted where he thought they would fit, little concerned whether they would stand the test of an accurate examination or not, exactly as we find in the chronicle of Cologne. Such is the origin of the Roman chronicles before the time of their literature. The scepticism therefore is contemptible, which says that the Romans had no history before the time of Fabius. There were but few men, perhaps Fabius, or probably only Cincius Alimentus and M. Licinius Macer, who also searched the documents in the Capitol and the ancient law-books.

The Brazen Law Tables were probably carried away by the Gauls, as was done by the Vandals at a later period when they conquered the city; but there were many other legal documents in the Capitol and inaccessible to the Gauls. It is common to all nations to record old customs and traditional rights historically in the form of single cases, out of which they arose. In more ancient times, where authentic documents are wanting, the rules or laws resulting from individual cases are supplied from recollection.

Such is the custom throughout the East. The Sunnah, or the Mohammedan code of laws, and the Talmud consist of such single cases; and the whole of the Koran, so far as the civil law is concerned, is of this description: a rule is never stated abstractedly, but explained by an account of single cases. We find the same character even in the Pentateuch; for where a rule is to be laid down as to the conditions on which daughters can inherit the property of their father, Moses merely adduces a precedent in the case of the daughters of Zelophehad.<sup>16</sup> It was the same with the Roman laws; a number of single cases was recorded in the old law-books,<sup>17</sup> as in the case of the *judicium per duellionis*, which arose out of the story of Horatius who slew his sister.

The history of the Roman constitution back to the time of the kings was quite complete. It cannot have existed any where else but in the pontifical books (*commentarii pontificum*), from which Junius Gracchanus derived his information, who handed it down to Gaius, from whom again Lydus made his extracts. These accounts, when carefully examined, agree so perfectly with all historical facts, are so free from anything which might appear doubtful, and are so consistent with one another, that the results of my investigations must lead to the conviction, that we are able to trace the history of the Roman constitution back to the beginning of the commonwealth as accurately as one can wish, and even more perfectly than the history of many portions of the middle ages. The history of Rome gives a moral confirmation to what has been said by great men respecting the study of nature, that a superficial knowledge makes man atheistical, but that a profound one strengthens his belief in the existence of a God.

<sup>16</sup> *Numbers*, xxxvii. See vol. i. p. 346.

<sup>17</sup> Vol. ii. p. 281, foll.

## LECTURE IV.

LET no one imagine that the Romans were barbarians, before they adopted the civilisation of the Greeks: their works of art and their buildings prove the contrary. That people, which under its kings constructed such gigantic sewers, which had a painter like Fabius Pictor, which made a coffin like that of Scipio Barbatus, and, a hundred years before the Punic wars, produced a sculptor able to execute a work like the Capitoline she-wolf,<sup>1</sup> must assuredly have attained to a high degree of intellectual culture, and cannot be conceived to have been without some kind of literature, though, of course, different from that of the Greeks. Form is something accidental; and Roman literature may have had its own peculiar beauties. There existed in the days of Cicero a poem of Appius Claudius the Blind,<sup>2</sup> consisting of moral sentiments, of which I have discovered some fragments, and which is of far more ancient date than the beginning of what we now call Roman literature. Cicero despised the ancient literature of his country, and knew it only from hearsay. He was also acquainted with a speech against Pyrrhus, delivered by the same Appius;<sup>3</sup> and we may be sure that, at a time when such speeches were written and preserved, historical composition was not neglected.

But the first work which may be regarded as a history, and indeed a contemporary one, though agreeably to the taste of the age in a metrical form, was the First Punic War by Naevius. If we had a history of this war like that of the Hannibalian war by Livy, we should undoubtedly look upon it as the greatest in ancient times. Its vastness and importance are by no means generally known: I hope one

day to be able to put it in its true light. Naevius had served in it and described it, as Bernal Diaz did that of Cortez. Naevius wrote in the Saturnian verse, in the form of a poem, which is characteristic of the age; and he who judges from internal evidence must see, that he only did what all before him had done, and that the history of former days still continued to be familiar to the Romans through the medium of poetry. Godefrid Hagen likewise wrote in poetry on contemporary events, merely because no one was yet accustomed to German prose: prose works were written in Latin. The history of the conquest of Livonia by the German knights was described a short time after the event in a poem, which is not yet published.<sup>4</sup> Down to the thirteenth century all traditional history in Germany was transmitted in the form of poetry, and the same was the case with the early period of Roman history. Naevius assuredly wrote his work in the form in which he found so many historical events of the past described.

Concerning Naevius and his poems I shall here say but little. The year in which he brought his first play upon the stage, is uncertain; two passages of Gellius<sup>5</sup> contradict each other on this point; but we may suppose it to have been about the year 520, ten years after the conclusion of the first Punic war. Whether the piece which was then performed, or the great poem on the first Punic war, was the

<sup>4</sup> Niebuhr here alludes to the chronicle of Livonia, written at the end of the thirteenth century by Ditleb von Alnpeke, at Reval. The MS. of it exists at Heidelberg. Cod. 367, fol. 192, foll.

<sup>5</sup> In xvii. 21, Gellius says that Naevius appeared in the same year in which Sp. Carvilius Ruga divorced his wife, that is, the year 519; but in iv. 3, he places that divorce in the year 523, which thus produces a difference of four years in the time of Naevius' first appearance. Com. Ritschl, *Parerga Plautina*, tom. i. pp. 68-70.

<sup>1</sup> Compare vol. iii. p. 424.

<sup>2</sup> Cicero, *Tuscul.* iv. 2. Compare vol. iii. p. 312, foll.

<sup>3</sup> Cicero, *Brut.* 16. Compare vol. iii. p. 313.



first he had written, is also uncertain. Nævius was a Campanian, and it must be supposed that there then existed at Capua, a much more lively interest for literature than at Rome, where it was gradually developed out of popular poetry. Nævius wrote many plays. His poem on the Punic war was divided, Suetonius says,<sup>6</sup> into seven books, and was formerly written *continente scriptura*. The verses, though not distinguished originally (an experienced reader must have been able to make them out for himself), were afterwards probably marked by C. Octavius Lampadio, who also divided the work into books. The fragments we possess of this work, show that it was by no means devoid of high poetical merit. Servius, who had read Ennius, but seems never to have seen the work of Nævius (I believe that he merely knew it from old commentators), says that Virgil had borrowed the plan of the first books of the *Aeneid* from Nævius.<sup>7</sup> Nævius treated of the destruction of Troy, of Dido and the landing of Aeneas in Latium; and we may justly conclude that Nævius, like Virgil, represented the hostility between the Romans and Carthaginians as having arisen from the reception which Aeneas met with in Carthage, and from his unfaithfulness to Dido.<sup>8</sup> As Nævius did not place Aeneas at so early a period as was done in the times of Virgil, the anachronism with which the latter has been charged, is groundless — blind enthusiasm will never be just towards Virgil, but only sound criticism, — and with old Nævius he made the arrival of Aeneas coincide with the foundation of Carthage. There is yet an immense deal to be done by a commentator on the *Aeneid*. In order to form a proper estimate of Virgil, we must observe that, without contradicting the historical statements, he very frequently withdraws into the old poetical traditions:<sup>9</sup> only learned

scholars and good historians are fit to be his commentators. Thus Romulus is with him the actual grandson of Aeneas; he does not make him descend from the Alban kings, but conceives him to be the son of Ilia, as the older Roman poets did.<sup>10</sup> I am also convinced that the shield of Aeneas in Virgil had its model in Nævius, in whose poem Aeneas or some other hero had a shield representing the wars of the giants.<sup>11</sup> I believe that Nævius gave a full account of the *semina odii et belli*, and that he went through the early history of Rome: that he spoke of Romulus we know.<sup>12</sup>

It is well known, that Nævius drew misery upon himself, and it is said, was thrown into prison, on account of some verses, by which he had offended the proud Metelli;<sup>13</sup> but no one, I believe, has asked himself, how it was possible to throw a Roman citizen into a dungeon for having written some libellous verses. In addition to this, it is said that he wrote two plays while in prison.<sup>14</sup> But if one has been at Rome and seen those awful dungeons in the prison, which were considered by the ancients themselves as the entries of death for those who were to be executed, and into which no ray of light could penetrate, such an account must be incomprehensible. Yet I believe that the difficulty can be removed. We know that Nævius was a Campanian: we know that the greater number of the Campanians lost the Roman franchise, or at least all the advantages of it, on account of their insurrection in the second Punic war. We may therefore suppose, that Nævius being without friends and helpless<sup>15</sup> was given up for his offence to

<sup>10</sup> Servius, *ad Aen.* i. 273.

<sup>11</sup> Vol. i. p. 192.

<sup>12</sup> Servius, *ad Aen.* i. 273.

<sup>13</sup> Gellius, iii. 3; the Pseudo-Asconius on *Cic. in Verr.* i. 10, p. 140, ed. Orelli, mentions the verse which gave offence to the Metelli: "*Fato Metelli Romae sunt consules*," and adds, "*cui tunc Metellus consul iratus versu responderat senario hypercatalecto, qui et Saturnius dicitur* :

*Dabunt malum Metelli Nævio poetæ.*"

<sup>14</sup> Gellius, iii. 3.

<sup>15</sup> Compare vol. ii. note 105.

<sup>6</sup> *De Illustr. Gram.* 2.

<sup>7</sup> Servius, *ad Aen.* i. 98; ii. 797; iii. 10.

<sup>8</sup> Vol. i. p. 191, foll.

<sup>9</sup> Vol. i. note 980.

Metellus, as a *noxæ deditus*, not to be kept in the state prison but in the house of Metellus himself, since there were prisons for debtors attached to many houses of the nobles. Insolvent debtors fell into the same condition of *noxæ dediti*, and were kept *nervo et compedibus*.<sup>16</sup> The account of his death at Utica in the year 547 according to Cato (or 549, according to Varro), as stated in the Chronicle of St. Hieronymus,<sup>17</sup> is false, for Utica was then in the hands of the Carthaginians, and remained faithful to them to the last; and he would have been ill received, even if he had come as a *transfuga*. If he was expelled by the nobles, he certainly did not go to Africa, and we must reject this account the more, since Cicero says that Varro assigned a later date for his death.<sup>18</sup> The year of his death therefore was uncertain even at that time. There are incredible contradictions in ancient authors respecting the literary men of the sixth century.

After the second Punic war, there were several Romans who wrote the history of their country in the Greek language. After the Macedonian period, the Greeks, in their historical works, began to draw attention also to the more distant nations; and this circumstance stirred up able men in those nations, who understood Greek, to write in that language the history of their own country, that it might be read by the Greeks. In southern Italy the Greek language had long been established. It would not be advisable indeed to assert that the Lucanian Ofellus was really the author of the works ascribed to him; but there must have been some reason for attributing them to him; and Aristoxenus, to whom all the existing accounts on this subject must be traced, knew that these people wrote Greek. The towns of Campania, Apulia, and other parts of southern Italy had Greek inscrip-

tions and coins. The Alexandrian grammarians read Oscan accounts of Italy, but we must not believe that they were books written in Oscan; they were Greek books. In regard to Roman history, we have to mention especially Q. Fabius Pictor<sup>19</sup> and L. Cincius Alimentus, both belonging to very noble families. Q. Fabius was of a patrician gens and had once been sent on an embassy to Delphi; he was a great-grandson\* of C. Fabius Pictor, who had painted the temple of Salus; this painting, probably representing the victory of the consul Junius over the Aequians, continued to exist down to the time of the Emperor Claudius. Even that C. Fabius Pictor must have been familiar with the language and manners of the Greeks; for, according to Roman notions, painting was not a suitable occupation for a patrician. His son who was sent as ambassador to Alexandria, must likewise have been acquainted with Greek. The object of Fabius, the historian, was no doubt to counteract the contempt with which the Greeks regarded the Romans. He therefore wrote the history of Rome from its beginning. Whether he spoke of Aeneas we cannot ascertain, but we have ample evidence of the manner in which he treated of the *primordia urbis*, of Romulus and Remus.<sup>20</sup> Of the earliest times, he gave, according to Dionysius, only a brief outline; but as he advanced nearer the age in which he lived, his account became more minute.<sup>21</sup> This last feature he had in common with nearly all the Roman historians, except Cn. Gellius and Valerius Antias, who followed the opposite principle. Cato alone observed the right proportion. Fabius' real subject, however, was the second Punic war, with which he was contemporary; but he had likewise given a detailed account of the first war with the Carthaginians. We learn from Polybius<sup>22</sup> that he shewed great par-

<sup>16</sup> Vol. i. p. 576, Gellius, xx. 1.

<sup>17</sup> P. 36. Compare Cicero, *Brut.* 15: "His consulis (Cethego et Tuditano), ut in veteribus commentariis scriptum est, Naevius mortuus est."

<sup>18</sup> *Brut.* 15.

<sup>19</sup> Fabius wrote the history of his country 250 years after Herodotus: so much, then, is the historical literature of the Romans later than that of the Greeks.—N.

<sup>20</sup> Dionys. i. 79.

<sup>21</sup> Dionys. i. 6.

<sup>22</sup> i. 14; iii. 8, 9.



tiality to his countrymen and endeavoured to justify them in every thing; and when a man like Polybius passes such a censure, we may readily believe him. An indulgent treatment of one's country is just enough; but it was more than indulgence when he attempted to justify his Romans on every occasion.<sup>23</sup> The first history of the first Punic war had been written by Philinus of Agrigentum, and in a spirit very hostile to Rome, on account of the destruction of his own native city. Fabius now wrote in the opposite spirit, and perhaps exaggerated in the opposite direction. He probably carried his work to the end of the second Punic war, though there is nothing to prove this, for most of the quotations from his work refer to the earliest period of Roman history.

The title of his work is nowhere mentioned, nor do we know into how many books it was divided, though it was held in an unusually high degree of estimation, and is very often referred to by Polybius, Livy, Diodorus Siculus, and Dionysius. We may be sure that we also possess a great many things borrowed from him, without acknowledgment. It is clear and certain that Diodorus, like Fabius, placed the foundation of Rome in Ol. 8. 1. Diodorus, it is true, contains only very meagre notices of Roman history in the several years, and they differ widely from Livy's statements; but they are by no means contemptible, and he can have derived them only from Fabius or Timaeus, though the former is more probable, on account of the agreement which I have just mentioned. Appian, who gave an account of the second Punic war very different from that of Livy, mentions Q. Fabius as the ambassador sent to Delphi.<sup>24</sup> Appian knew little of Latin, and was not much of an investigator; and as far as Dionysius of Halicarnassus went, he merely abridged him, as Zonaras abridged Dion Cassius, so that we may look

upon him as representing Dionysius.<sup>25</sup> But for the end of the war against Pyrrhus and the beginning of the first Punic war, when he was no longer guided by Dionysius, he found and used the Greek work of Fabius down to the time when Polybius began. Now as his account of this period perfectly agrees with Zonaras who followed Dion Cassius, I have no doubt that Dion Cassius also based his narrative here upon that of Fabius. I don't mean to say that he used no other writers, but his acute eye must have recognised Fabius as his best authority.<sup>26</sup> All those precious and invaluable accounts of the early Roman constitution which we find in Dion Cassius, may be referred to Fabius, and to him our gratitude is due. The expressions of Dion in describing the civil history of Rome are so careful and accurate, that we cannot hesitate for a moment in assigning them to Fabius. Thus the *populus* is always called by him *δῆμος*, and the *plebs* *πλήθος* or *ὄμιλος*.<sup>27</sup> Whoever reads the history of Dion Cassius and possesses an accurate knowledge of constitutional terms, will find that every thing is correct, whereas Dionysius makes dreadful mistakes.<sup>28</sup> Fabius then is not only the father of Roman history, but he also possessed the most perfect knowledge of the ancient constitution; and though his work is lost, we must acknowledge that we are greatly indebted to him for the information we derive from him respecting the constitution and its changes.<sup>29</sup> There have been some censorious critics who have considered it ridiculous, that we in the nineteenth century pretended to know the Roman constitution better than Livy and Dionysius in the reign of Augustus; but we only need refer them to the consular Dion Cassius and Q. Fabius; for we do not pretend to know it better than they did.

There is a literary difficulty about this remarkable man, which in my

<sup>23</sup> Vol. ii. p. 8.

<sup>24</sup> vii. 27. His words are: ἡ δὲ βουλὴ Κοῖντον μὲν Φάβιον, τὸν συγγραφεῖα τῶνδε τῶν ἔργων, εἰς Δελφοῦς ἔπεμψε. Compare Plutarch, *Fab. Max.* 18; Livy, xxii. 57.

<sup>25</sup> Vol. iii. notes 353 and 844.

<sup>26</sup> Vol. ii. p. 12.

<sup>27</sup> Vol. ii. p. 169, note 367.

<sup>28</sup> Vol. ii. p. 13.

<sup>29</sup> Vol. ii. p. 12.

opinion can never be solved. It arises from an expression of Cicero's in his work "De Divinatione."<sup>30</sup> He there mentions a "Somnium Aeneae" from the Greek annals of a Numerius Fabius Pictor, of whom no mention is found any where else. The difficulty might indeed be solved very easily, since we know that at the time of Q. Fabius Pictor, whose praenomen Quintus is firmly established by the testimonies of Dionysius, Appian and Polybius, several other Romans wrote in the Greek tongue; why then should not a Numerius Fabius have likewise written in Greek? Is it not possible that his writings may have had merely an ephemeral existence like those of so many authors of our own day? To this class of writers must have belonged the senator Cn. Aufidius whose Greek work is mentioned by Cicero only.<sup>31</sup> But in his work "De Oratore,"<sup>32</sup> and in the introduction to the first book, "De Legibus," Cicero speaks of a Fabius Pictor as a writer of Latin Annals, and in the former of these passages he places him between Cato and Piso. None of the ancient authors, neither Livy, nor Polybius, nor any grammarian, mentions Latin annals of Fabius Pictor. Gellius<sup>33</sup> indeed speaks of *Annales Fabii*, but without the addition *Pictoris*, and nothing is said as to whether this Fabius wrote in Latin or in Greek. I make this remark, because the passage of Gellius has been erroneously adduced to prove that Gellius knew a Fabius Pictor who was the author of Latin annals. There is indeed another Fabius Pictor<sup>34</sup> who wrote *de jure pontificio*,<sup>35</sup> but his work

had nothing to do with Roman history. Now are we to suppose that all other ancient authors overlooked Fabius, the Latin annalist, and that Cicero alone has preserved his name? My opinion is this. There was a Latin annalist of the name of Fabius Maximus Servilianus, whom Servius<sup>36</sup> and Dionysius<sup>37</sup> mention as an old annalist of great importance and who lived between Cato and Piso, which is exactly what Cicero says of Fabius Pictor. Cicero, therefore, I believe, committed a mistake. "Every man," says Möser, "may err, and even the wisest sometimes in the most incredible manner." Cicero had perhaps merely cast a hasty glance at the annals—he had a dislike for these ancient books, and besides Cato, he had scarcely read any, certainly not in his more advanced years—which bore the title *Q. Fabii Annales*, and when he found a Fabius who lived between Cato and Piso, he added *Pictor*, a name with which he was familiar, where he ought to have added *Maximus*. Such a mistake most easily occurs when a person dictates.<sup>38</sup> We must also remember that Cicero did not possess a very extensive knowledge of the history of his country, in evidence of which I need only mention what everybody knows, that his repeated statement about the self-sacrifice of Decius, the grandson, is a mere fancy of his own.<sup>39</sup> Cicero not seldom blunders in the praenomen of a per-

<sup>30</sup> *Ad Aen.* i. 3.

<sup>31</sup> i. 7. Compare Macrobius. *Saturn.* i. 16.

<sup>32</sup> When a man speaks under great mental excitement, he may easily make a blunder; but when he dictates, it may happen still more easily. It has often happened to me, that in referring to a man I pronounced a wrong name, and did so repeatedly, until some one called my attention to it. Another instance of such a blunder occurs in a letter of Cicero to Atticus (vi. 2). He had called the citizens of Phlius Phliuntii, and Atticus reminded him that they were called Phliasii. Cicero replies, that the mistake had escaped him, and that he knew very well what he ought to have said. The principle of comparing the relations of ancient history with those of our own time, in order to form a more distinct notion of them, should also be followed in the explanation of ancient authors.—N.

<sup>33</sup> See vol. iii. p. 505. Cicero, *De Finib.* ii. 19; *Tuscul. Quaest.* i. 37.

<sup>30</sup> i. 21. It is true we have no good MS. of the work *De Divinatione*, but only a number of bad ones of the fifteenth century, which are all derived from one which is now lost, so that the praenomen Numerius might be a mistake, but I do not see how any one could have inserted such a praenomen.—N.

<sup>31</sup> *Tuscul. Disput.* v. 38: "Cn. Aufidius praetorius et in senatu sententiam dicebat, et Graecam scribebat historiam et videbat in literis."

<sup>32</sup> ii. 12.

<sup>33</sup> v. 4.

<sup>34</sup> The surname Pictor alone occurs rarely, though we still find it in Appian.—N.

<sup>35</sup> Nonius, s. v. Picumnus.

son; thus, contrary to all other authorities, he calls Virginia's father Decimus Virginius. The praenomen Numerius was moreover very common in the family of the Fabii, so that it may have been rather familiar to Cicero. Lastly, Diodorus mentions the same

dream of Aeneas, which is referred to by Cicero, and states that it is taken from Fabius.<sup>40</sup>

<sup>40</sup> Diodor. *Fragm. ap. Syncell.* p. 366, ed. Dindorf. In Corte's edition of Sallust, the fragments of Fabius Pictor are printed along with those of Fabius Servilianus,—N.

## LECTURE V.

L. CINCIUS ALIMENTUS,<sup>1</sup> who, as we learn from Dionysius of Halicarnassus,<sup>2</sup> wrote the history of Rome in Greek, was a contemporary of Q. Fabius Pictor. It is very instructive to examine such isolated statements, in order to form a correct estimate of their value; for without Dionysius we should not know that Cincius wrote in Greek. From two passages of Livy<sup>3</sup> we know only that Cincius wrote on the second Punic war, but from Dionysius<sup>4</sup> we learn that he wrote a complete history of his country from the earliest down to his own time. He was a senator and praetor in the second Punic war, and was taken prisoner by the Carthaginians at the beginning of the war.<sup>5</sup> From these facts we see that he must have been a man of great personal merit; for although the Roman laws were at that time very severe towards prisoners of war, yet he rose to high offices. He tells us that he conversed with Hannibal, who gave him an account of his passage over the Alps: another proof of his personal importance and of his ability to speak Greek. Livy calls him *maximus auctor*, and considers his authority as decisive. Besides his history of Rome, he is said to have written in Latin, on chronology, on the consular power, and on the Roman calendar. There can be no doubt that the Greek and Latin works are the productions of the same author. Dionysius informs us that

differing in this respect from the majority of his countrymen, he treated of the Roman antiquities as an independent and critical investigator.<sup>6</sup> How much Dionysius may have borrowed from him, cannot be ascertained. A fragment of his in Festus throws much light on the relation subsisting between the Romans and the Latins.

Not long after him (subsequent to the year 570), C. Acilius wrote Roman annals, from the earliest times down to the war with Antiochus. In one passage quoted from his work he speaks of Romulus, and Dionysius refers to him in regard to the restoration of the sewers. His work likewise was in Greek, and was afterwards translated into Latin by one Claudius who is otherwise unknown to us.<sup>7</sup> Acilius too seems to have been an important and respectable writer. Thus the literature of Rome was at that time essentially a Greek one.

There are some other Romans who, at a later time, wrote in Greek; but it is uncertain whether they wrote the entire history of their country, or only memoirs of their own time. We have mention of A. Postumius Albinus, a contemporary of the elder Cato (about 600), and Cn. Aufidius, a contemporary of Cicero's youth. It was probably about the beginning of the war with Perseus that Q. Ennius composed his poem under the strange name of *Annales*; but we cannot conceive that

<sup>1</sup> Compare vol. i. p. 272, foll.

<sup>2</sup> i. 6.

<sup>3</sup> xxi. 38; vii. 3.

<sup>4</sup> i. 6.

<sup>5</sup> Livy, xxi. 38; xxvi. 23, 28; xxvii. 7, etc.

<sup>6</sup> A. Krause, *Vitae et Fragmenta veterum Historicorum Romanorum*, p. 68, foll.

<sup>7</sup> Livy, xxv. 32, xxxv. 14; Cicero, *De Off.* iii. 32; Dionys. iii. 77; Plutarch, *Romul.* 21.

he should, like a chronicler, have described the events as they took place one year after another: he was a man of too much poetical genius to write such a foolish work, which would have been nothing more than a heap of *versus memoriales*. His poem was the first real imitation of the Greek; for those of the earlier Naevius had been composed in the ancient lyric manner. The number of fragments which are preserved, enables us to form a tolerably clear idea of the whole work; and if the more ancient references which we have, were more trustworthy in numbers, we might even have an accurate knowledge of the proportion of its parts. But corrupt as a great many numbers in the ancient grammarians are, yet it is clear that the earliest times, the reputed arrival of the Trojans in Latium and the period of the kings, were contained in the first three books. The war with Pyrrhus may with great probability be assigned to the fifth.<sup>8</sup> I do not know whether the verse

Horrida Romuleum certamina pango duellum

which occurs in Merula's collection of the fragments, is genuine; but there can be no doubt that Ennius occupied himself very little with the internal struggles of the Romans, and according to the notions then prevalent upon epic poetry, he probably spoke only of the wars. The 225 years from the expulsion of the kings until the war of Pyrrhus, were contained in a single book. Of the Samnite wars he probably gave only a brief sketch. If we examine the later books containing the events subsequent to the first Punic war, which according to Cicero<sup>9</sup> he passed over, we find passages which prove that the war against Hannibal was described very minutely. The account of it must have begun in the

seventh book, and in the twelfth Ennius was still occupied with it. In the thirteenth he treated of the war with Antiochus, and in the fifteenth the Istrian war; so that the last six books comprised a period of only twenty-four years, for the whole work consisted of eighteen books.<sup>10</sup> In the eighteenth book Ennius himself intimated that in the year 578 he was still engaged in writing his work. The whole poem was wanting in symmetry, for in the early times, which were despatched very briefly, a great many things must have been passed over, like the first Punic war. Scipio and M. Fulvius Nobilior were praised by him very much in detail, and the poet accompanied the latter to the Aetolian war. The beautiful history of the kings in Livy may have been taken chiefly from Ennius. He was born according to Cato, in 513, at Rudiae in Calabria,<sup>11</sup> and died in 583, at the age of seventy,<sup>12</sup> having carried his poem nearly down to the time of his death.

The authorities which Ennius followed for the earliest times, were the *annales maximi*; for the kingly period, the ancient lays and the *commentarii pontificum*; for the middle age of Rome, he had Timaeus, Hieronymus, and Fabius; and of the later events he was himself an eye-witness. He deserves censure for his vanity in putting himself on an equality with Homer, and for his bad hexameters. It is annoying to find him speak with contempt of the ancient poets; but there are, on the other hand, fragments of his which show a truly poetical genius. He resembled Klopstock, who, like him, despised the ancient forms, without being so thoroughly

<sup>10</sup> We may take it for granted that Ennius himself made the division into eighteen books. The opinion that Q. Vargunteius made it, is founded on a wrong interpretation of a passage in Suetonius (*De illustr. Gram.* 2). I believe that Suetonius merely meant to say that Vargunteius made a critical recension and explanatory commentaries on Ennius, such as Lampadio had made on Naevius.—N.

<sup>11</sup> Cicero, *Tuscul. Quaest.* i. 1, *Brut.* 18; Varro, *ap. Gellium*, xvii. 21.

<sup>12</sup> Cicero, *Brut.* 20; *de Senect.* 3.

<sup>8</sup> Merula places this war in the sixth book, because he cannot believe that Ennius should have devoted only one book to the intervening period. But Ennius surely did not versify the consular Fasti, but treated only of the principal events.—N.

<sup>9</sup> *Brutus*, 19.



acquainted with those of the Greeks as to be able to distinguish himself in their application. The fragments of Ennius were collected very carefully about the end of the sixteenth century, by Hieronymus Columna,<sup>13</sup> who added a very prolific but instructive commentary. Some verses in this collection are taken from Claudius Sacerdos, whose work still exists in MS. at Vienna.<sup>14</sup> This collection contains, with the exception of a few trifles, all that can be gathered from the ancient authors. Soon after Columna, a Dutchman, P. Merula, published a new edition of the fragments of Ennius,<sup>15</sup> with many additions and a new arrangement. Among the additions, there are some passages which Columna had overlooked; but Merula says that he had gathered a number of verses from a work of L. Calpurnius Piso, a contemporary of Pliny, which bore the title, "De continentia veterum poetarum." He adds, that Piso in this work compared the early poets with those of his own time, and the latter with one another; that the manuscript of it was at Paris, in the library of St. Victor, whence he feared it would be stolen. Now what circumstance could have led him to this strange apprehension, for which no reason is assigned? Another account states that the manuscript was formerly bound up together with a manuscript of Lucan, from which it had afterwards been cut away. Now there is indeed in the library of St. Victor, at Paris, a manuscript of Lucan, from which another has been torn off,—my friend, Immanuel Bekker, whose attention I had directed to it, saw it himself,—but

this proves very little. It is not improbable that P. Merula, according to the fashion of the time, either in joke or in earnest, wanted to impose upon the public; but he was not able to write such perfect verses as would deceive a good scholar. At least, all those single verses which he assigns to Naevius and Ennius, and which he pretends to have derived from Piso, are suspicious to me, for they are wanting in rhythm, though I do not mean positively to assert that they are modern. They are hexameters, and indeed such as Ennius might have written; but they never carry with them that conviction of genuineness which is so strong in reference to the other fragments of Ennius, that we might almost swear and say—This cannot come from a modern author. My opinion, therefore, is, that we must not place too much confidence in those verses which are said to be taken from Piso. If Merula had a suspicion that the manuscript might be stolen, why did he not copy and publish it?

Not long after Ennius, whom we fairly reckon among the Roman historians, for many statements of his have been incorporated with history by subsequent writers, the history of Rome began to be written in Latin prose; and the first work we meet with is the most important that was ever written on the history of ancient Italy; I mean the "Origines" of Cato. The form which he adopted in this work shews great originality, and also that the Romans at that time began to entertain just views of their own history, and to follow the right way in writing it. Subsequent writers again lost sight of this, and became estranged from the early constitution of their country. Cato wrote the history not only of Rome, but of Italy. While he described the gradual increase of the Roman commonwealth, he seems to have given accounts of the nations of Italy as they successively came in contact with it.<sup>16</sup> The plan of the Origines, which consisted of seven books, is

<sup>13</sup> Q. Ennii, poetae vetustissimi quae supersunt fragmenta, ab Hieronymo Columna conquisita, disposita et explicata, Neapoli 1590. 4°. A reprint of this edition appeared at Amsterdam in 1707.

<sup>14</sup> (It is now published in Endlicher's *Analecta Grammatica*.) Hieronymus Columna and Natalis Comes both had the vanity to pretend that they had read authors which either did not exist at all, or were mentioned only by scholiasts. Of the latter they may indeed have read more complete MSS. than those which have come down to us.—N.

<sup>15</sup> Q. Ennii fragmenta, collegit et illustravit P. Merula, Lugd. Bat. 1595.

<sup>16</sup> Compare vol. i. p. 8 and note 2; vol. p. 8.

known from Nepos;<sup>17</sup> the first book contained the history of the kings; the second and third carried the history down to the complete subjugation of Italy; the fourth contained the first Punic war; the fifth, the second; and the sixth and seventh, the subsequent wars down to his own time, that is, to the praetorship of Ser. Galba. Cato was a very great man in every respect, and rose far above his age. His work is very often quoted, but there is only one quotation in Gellius which deserves the name of an excerpt; this is the passage about the tribune Caedicius, in the time of the second Punic war, and accordingly belongs to the fourth book. It shews Cato's peculiar manner, and how it was that Cicero, who in general is uncertain whether he should praise or blame Cato, yet distinguished him among all his contemporaries. He wrote his work at an advanced age, about the year 600. There is a curious prolepsis and parachronism in Livy, in the disputes about the Lex Oppia, where, in the year 561, the tribune, L. Valerius, appeals to Cato's *Origines* against him.<sup>18</sup> During the sixteenth and seventeenth centuries, people had such curious notions respecting everything written by Livy, that on account of this passage, they would not believe that Cato wrote his *Origines* at an advanced period of his life, and G. J. Vossius<sup>19</sup> thought it worth while to consider, whether C. Nepos was not speaking of a different work in saying that Cato wrote it as a *senex*. But Vossius was the first who thought that Livy might perhaps have spoken there in his own person, and have made a mistake.

Very little of the *Origines* is extant, but what we have is excellent. It is said that a philologer once tried to conjure up spirits in order to obtain from them ancient books which were lost; and if such a thing were possible, the first ancient work to be asked for

would be the *Origines* of Cato; for if we had them and the history of Q. Fabius Pictor, we might dispense with all speculations concerning the early history of the nations of Italy. Cato's work was the only one of its kind in the whole range of Roman annals. In reading the descriptions which Livy gives of the wars against the Aequians and Volscians, we are extremely wearied by the intolerable sameness, which is even increased by his repeating the same things over again. The same character is generally, though with great injustice, ascribed to the Roman annalists: but Cato was anything but monotonous or wearisome.

A very short time after Cato and about the time of the destruction of Carthage, the history of Rome was written by L. Cassius Hemina,<sup>20</sup> from whose work we have historical quotations in the grammarians. Several writers call him *antiquissimus auctor*, a name by which Piso and others are never mentioned. From many of his historical remarks I conclude that he wrote about Alba according to its ancient local chronology, and that he synchronised the earlier periods of Rome with the history of the Greeks, which is a circumstance of great importance. He began the history from the earliest times, and what no other annalist did, he treated of it before the foundation of Rome, whence we have many statements of his about Sicilian towns in Latium. The archaeology of the towns seems to have been his principal object. There is only one fragment of some length which gives us some idea of his style, which is decidedly worse than that of Cato. The fourth book of his work bore the title *Bellum Punicum posterius*,<sup>21</sup> from which we may infer that the last war against the Carthaginians had not broken out at the time when he wrote it. He even mentioned the secular festival of the year 607 according to Varro,<sup>22</sup> which may indeed have been just at the end of his work, which,

<sup>17</sup> Cato, c. 3.

<sup>18</sup> Livy, xxxiv. 5, makes L. Valerius say to Cato: Tuas adversus te *Origines* revolvam.

<sup>19</sup> *De Histor. Lat.* i. 5.

<sup>20</sup> Compare vol. i. p. 271, and vol. ii. p. 8.

<sup>21</sup> Priscian, vii. p. 767. ed. Putsch.

<sup>22</sup> Censorinus, *De Die Nat.* 17.



however, I believe consisted of more than four books, though I admit that the number of books into which it was divided was not very great, at least, perhaps, five or six. Cassius Hemina was one of the old authorities who had derived his information from genuine sources.<sup>23</sup>

From this time forward, Roman histories were written by various persons, but an original treatment of the subject is henceforth out of the question. The Latin rhetoricians who now began to spring up, used the books which already existed as the foundations for their own works, and only made additions from old chronicles which had been neglected by their predecessors.<sup>24</sup> How far this was the case with every particular writer, cannot indeed be ascertained, but on the whole we may acquiesce in this view. I do not think it necessary to give you a complete list of these writers of the seventh century or to enter into an examination of their merits; my intention is merely to furnish you with an outline of the literature of the history of Rome, and I cannot therefore mention such writers as are in themselves of little or no importance. To this period belongs the Fabius Pictor whom Cicero, as I remarked before, mentions in the "De Oratore." He was a learned author, and his work, entitled "Res Gestae," seems to have been a very minute history, as he spoke of the capture of Rome by the Gauls in his fourth book,<sup>25</sup> but the number of its books is unknown. No fragment of any length is preserved. His praenomen was Servius or perhaps Sextus; for in his "Brutus," Cicero speaks of Ser. Fulvius, and then of Ser. Fabius, whom he calls *juris pontificii peritissimus*. But the books "De Oratore" and "Brutus," which seem to have such an excellent text, are corrupt in many small points, which have been smoothed over by a skilful copyist of the sixteenth century. Of the "De Oratore" only a single ancient MS.

was found at Milan, and that is particularly illegible. With regard to the "Brutus" we are no better off; for no MS. is older than the year 1430. Hence no great reliance can be placed on the names in these books. One Heidelberg MS. has Serius Fabius, and it is probable that we must read Sextus, the praenomen Servius not occurring among the Fabii. It is not impossible that this Fabius may be the same as the Fabius Maximus Servilianus who is mentioned in connection with a fragment concerning the arrival of Aeneas, and who at least flourished at this time.

Cn. Gellius<sup>26</sup> also belongs to this period. He was a very prolix, uncritical and credulous writer, and only a second rate historian; he was no authority; but would to God that we possessed the works of these writers, for who can say whether or not many a valuable old chronicle had been used by them and incorporated in their works. His age is uncertain, though Vossius conjectures that he is the same as the Gellius against whom Cato Censorius delivered a speech; but the fragments which we have of his work do not seem to support that supposition: I rather suspect that he belongs to the second half of the seventh century, partly on account of his language, and partly because we find him already engaged in sophistical contrivances, whereby he endeavours to render the improbabilities of the ancient traditions more credible by small but dishonest changes. The numbers of the books referred to lead us to believe that the work entered into the most minute detail. Charisius refers to the 97th book, and that in the ancient Neapolitan MS. where the numbers are written in words; other references do not go beyond the 30th book.

After Pictor, Cicero mentions an annalist, Vennonius, from whose work we have only one passage preserved in Dionysius, referring to the history of the kings. We may therefore infer that he wrote annals from the foundation of the city. In that fragment he

<sup>23</sup> Pliny, *Hist. Nat.* xiii. 13; xxix. 1.

<sup>24</sup> Compare vol. ii. p. 8, foll.

<sup>25</sup> Gellius, v. 4.

<sup>26</sup> Compare vol. ii. p. 9, note 11.

shows that he was a man without judgment; and Cicero judges unfavourably of his style also.

A writer about whose time and character I can speak with greater decision, is L. Calpurnius Piso Frugi Censorius,<sup>27</sup> an opponent of C. Gracchus, and one of the pillars of the aristocratic party, but an honest man. His censorship falls in the time between the two Gracchi, and it may be that he wrote his history soon after the expiration of his office, but it is also possible that the surname Censorius was added afterwards. To judge from the extracts which Dionysius gives from him, he must have been a man of a peculiar character. Before him, historians had received the materials just as they were handed down to them by their predecessors, and had not cared whether that which was transmitted to them was possible or not. They had regarded the events of early Roman history as something belonging to a time which had no connection whatever with their own age. Piso began to look at things in a different light: his object was to divest the ancient stories of all that appeared to him improbable or impossible, and to reconstruct out of the ancient traditions such a history as he thought consistent and in accordance with the natural course of things. This is the same mode of proceeding as has been unfortunately applied in our days to matters of the highest importance. Piso, for instance, calculates that L. Tarquinius Superbus could not possibly have been the son of Tarquinius Priscus, because he would then have been too old when he came to the throne. Therefore Piso, without giving any further reasons for it, makes Tarquinius Superbus the grandson of Tarquinius Priscus.<sup>28</sup> He is surprised at the account that Tarpeia had a monument on the Capitol, and forgetting that she was a Sabine heroine to whom such a tomb might well be erected on the Capitol,<sup>29</sup> just as Tatius had one on another hill,

he discarded the history of her treachery.<sup>30</sup> He is unable to understand the difference between the Sabine and Latin Romans. He is the originator of falsifications in Roman history; his contrivances were dull and contemptible, but they ensnared Cn. Gellius. The Romans had an ancient legend about the lake Curtius into which Curtius was said to have thrown himself in consequence of an oracle. Piso destroyed this sublime story completely; for as he conceived that a battle could not have been fought on that spot at any other time but in the reign of Romulus, when the sewers did not yet exist, he supposed that some Sabine general of the name of Curtius had sunk in that marshy district together with his war-horse:<sup>31</sup> he never thinks of the fact that the whole army cannot stand where the general sinks. Such poor and contemptible interpretations are suggested by the same spirit which actuated some interpreters of the Holy Scriptures, forty or fifty years ago, who leave no letter untouched, and turn the narratives upside down in order to make out, as they fancy, an intelligible history; but in this case such a mode of proceeding is more unpardonable than in any other. In the same spirit and for the purpose of making out that the northern sagas are historical, the whole lay of the Nibelungen has been transformed into a war of the Burgundians, and connected with the accounts of Roman chronicles of the fifth century. But, fortunately, nobody believes these things. Such was the spirit of L. Calpurnius Piso, a remarkable man, but in a bad way; he may be regarded as the first author of forgeries in Roman history. The title of his work was *annales*; and he must have been an industrious man, for we see that he made use of good sources, such as *Fasti* and the like. The number of books into which his work was divided is uncertain; in the third, he spoke of Cn. Flavius (A.U. 450); in

<sup>27</sup> Compare vol. i. pp. 235, 237; ii. p. 9, foll.; iii. p. 319.

<sup>28</sup> Dionys. iv. 7.

<sup>29</sup> Festus, s. v. Tarpeiae.

<sup>30</sup> Dionys. ii. 40.

<sup>31</sup> Varro, *de Ling. Lat.* v. 148, ed. Mttler. Compare vol. i. p. 237.

the seventh, of the year 516, and he must have carried the history down to his own time, as he mentioned the secular games of the year 607.

In the course of the same century several historical works were composed; but I do not speak of those who wrote only a history of their own time, but of those who composed a complete history of Rome. In Cicero's youth, about the time when the books *ad Herennium* were written, that is, about the year 680, or rather somewhat earlier, near the time of Cicero's consulship, there were two men who wrote a general history of Rome, Q. Claudius Quadrigarius and Q. Valerius Antias. According to Velleius both were younger than Coelius Antipater, and elder contemporaries of Sisenna, and wrote after the time of Sulla. Quadrigarius is one of those authors who in later times, after the restoration of the earlier literature, were very much read. He and Cassius Hemina departed from the general rule of the annalists who commenced their works from the building of the city; for while Hemina began at an earlier period, Quadrigarius commenced his history with the destruction of Rome by the Gauls. We have some considerable fragments of his work from which this is clear; for in the numerous fragments of the first book much is mentioned that belongs to the Gallic war; and at the same time it contained the beginning of the Samnite wars, and even the battle of Caudium; one fragment even touches upon the end of the third Samnite war, and all this not in very brief words. Hence, as the book embraced such a rich period, he cannot have had space for the earlier history. Another fact supporting our opinion is the statement, that he declared that there existed no documents older than the taking of Rome by the Gauls:<sup>32</sup> for I have no doubt that the *Κλώδιος τις* in Plutarch<sup>33</sup> is our Claudius Quadrigarius. We must therefore consider him as a man of a critical mind, who would not write about

what, according to his conviction, was not historical. In the second or third book he spoke of Pyrrhus; in the fifth and sixth, of Hannibal; in the eighth, of Tiber. Gracchus, the father; in the thirteenth, of Metellus; in the nineteenth, of Marius; and there are quotations from the work up to the twenty-third book. His history extended down to Cicero's consulship. Fragments, from which we clearly see the great awkwardness of the language of those ancient annalists, in whom we find no trace of the periodic structure of sentences,<sup>34</sup> occur in Gellius, and justify Cicero's judgment of the ancient writers. The chronicles of Cologne and Limburg are generally written in a much better style. Hence prose was little read before the time when Livy and Sallust wrote. Gellius thinks the ancient authors pleasing, which must be accounted for by the complete corruption of taste in his time, which had recourse sometimes to hot spices, sometimes to ice. To convince any one of the truth of this, let him read only the fragment from Claudius in Gellius.<sup>35</sup> The flourishing time of Roman literature was in the reign of Augustus, as that of French literature was in the reign of Louis XIV.; but just because that was the first bloom, the thoughts and ideas were more simple, the language more calm and tranquil, and flowing in a certain broadness and fulness. Afterwards, *esprit* and wit became awakened, and everything was demanded and given in a more concise, refined, and pointed manner. Such was the character of the period down to Tacitus, just as was the case with the age of Louis XV. in France; but now, when the Romans carried everything to extremes, everything was to become still more pointed, still more refined, and still more witty; and thus they

<sup>34</sup> Periodic writing among the Romans does not begin till the time of Cato, and was particularly cultivated by C. Gracchus, who must, on the whole, be regarded as the father of Latin prose. The periodic style, like the hexameter, seems to have been engrafted upon the Latin language from the Greek.—N.

<sup>35</sup> ix. 13.

<sup>32</sup> Compare vol. ii. p. 2, foll.

<sup>33</sup> *Numa*, c. 1.

came to a style bordering upon that which is really tasteless and absurd. Gellius lived in that period; he was a very sensible man, and so disgusted with the tendency of his age, that he lost all feeling for the better literature which preceded his own age, and went back to the earliest times, which were more to his taste.

Q. Valerius Antias is the very opposite of Quadrigarius: of all the Roman historians he is the most untrue; in him we can point out manifest falsifications.<sup>36</sup> Livy<sup>37</sup> says that none surpassed him in exaggerations. He knew all the details of the earliest times most accurately, the numbers of the slain, prisoners, &c.; he was always inclined to exaggerate, especially in regard to numbers. His fabrications have quite a different character from the earlier ones, the numbers in which were by no means invented for the purpose of deceiving; they only mention a round number, as *sexcenti*, ἑξήκοντα (*ter centum tonat*, in Virgil), to indicate an indefinite number. This poetical mixture of indefiniteness and apparent definiteness prevails every-

where in the Roman legends. Thus the thirty Sabine maidens are by no means a definite number, but only mean *many*. Valerius Antias, however, states their number to have been 547. In this manner he wrote an enormous work, which was particularly minute in the accounts of the later times; but notwithstanding all this, he was not able to produce an animated narrative, but related the single occurrences in a dry and dull manner. His work is quoted down to the seventy-fifth book; in the second, he spoke of Numa; and in the twelfth, of the tribune Tib. Gracchus. Fragments, from which we might judge of his style, do not exist.

One might be inclined to consider this Valerius to be a *gentilis* of the Maximi and Publicolae; and in a very loose sense he may have been one, but he did not belong to the gens of the patrician Valerii. The L. Valerius Antias who occurs in the Hannibalian war, was probably a citizen of Antium, and may have been one of the ancestors of our annalist.

It is surprising that Livy, although he repeatedly mentions the untrustworthiness of Valerius Antias, yet has in his first books passages which can have been taken from none but Valerius Antias.

<sup>36</sup> Compare vol. ii. p. 9.

<sup>37</sup> xxxvi. 38: in augendo eo non alius intemperantior est. Compare xxxviii. 23; xxxiii. 11.

## LECTURE VI.

ALL these annalists had something extremely old-fashioned in their tone and language, which differed from that of the writers of the subsequent period, just as much as the German, written in the beginning of the eighteenth century, from that which became established about the time of the Seven Years' War.

At the end of the seventh century, after this series of pretty uniform writers, we find only one distinguished annalist, C. Licinius Macer.<sup>1</sup> He was the father of the orator and poet C.

Licinius Calvus, and a contemporary of Catullus, with whom he flourished about the year 700; so that at the time of Cicero's consulship, Macer may have been beyond the prime of life. His tribuneship falls about the year 680, before the first consulship of Pompey. Licinius Macer was a remarkable man; and we are able to form an idea of the character of his work from what Livy and Dionysius quote from it. From the quotations in Livy we see that Macer did what only two writers had done before him, the one as an historian and the other as a writer on the constitution, for he

<sup>1</sup> Compare vol. ii. p. 10.



derived his materials from documents which he sought and found.<sup>2</sup> Macer may have related a great many things which were passed over by his successors, merely because they could not reconcile them with the current accounts which they adopted or with their own preconceived notions; for Livy<sup>3</sup> says, in more than one place, that his statements did not agree with other annals. The treaty with Por-senna, referred to by Pliny, was probably mentioned by nobody but Licinius Macer.<sup>4</sup> Pliny speaks of him as if he had read him,<sup>5</sup> and frequently names him among his authorities. Cicero is dissatisfied with him; and in the introduction to his work "de Legibus," he mentions him disrespectfully. He might be right to some extent; for Macer, although he deserved respect as a critical historian, may yet not have been equally distinguished as a writer, which is indeed very probable. If we Germans, for instance, praise Mascov<sup>6</sup> as the first who wrote a history of Germany, we do not thereby mean to assert that his work possesses everything that is required of a history of Germany. But it may also be, that Cicero judged unfavourably of him, because he belonged to a different political party,<sup>7</sup> for Macer took an active part in the restoration of the tribunician power. In the struggles which were then going on at Rome, every one thought the lesser evil to be on his own side: some conceived it to lie in the greater power of the government, and others in the full operation of popular freedom; just as is now the case in France, where a calm and unprejudiced spectator cannot join either of the parties

unconditionally, or wish to see one gain the upper hand. In such circumstances, Cicero may, for a time, have confined his good wishes to one party, and been anxious to see the other completely suppressed. I consider the loss of the annals of Macer greatly to be deplored. Whether the speech of Macer among the fragments of Sal-lust's history was the report of an actual speech of Macer, or was written by Sallust under his name, is uncertain: at any rate, the great knowledge of the early constitution displayed in it renders it worthy of Macer, and is not likely to have been possessed by Sal-lust. His work is quoted down to the sixteenth book; but of how many books it consisted is unknown; he probably began with the earliest times, and carried the history down to his own age.

C. Junius Gracchanus, the historian of the Roman constitution, derived his name from his friendship with the younger Gracchus. Both the Gracchi were men of very deep, intense, and warm feelings, and exercised an inspiring influence upon eminent persons; it is, therefore, no wonder that young and enthusiastic men were, as it were, charmed by them. Junius Gracchanus wrote a history of the Roman constitution, in which he gave a chronological account of its changes.<sup>8</sup> The work seems to have been the only one of its kind; it is often quoted by Censorinus, Tacitus, Ulpian, and other jurists. He appears to have followed in his calculations the æra from the expulsion of the kings, which is adopted in particular by Lydus in his work "*De Magistratibus*," who drew his information from Gaius' commentary on the twelve tables. Gaius again derived his materials from Gracchanus; for he himself did not possess the learning of Gracchanus, and where he is left to himself, he is very often wrong; but his collection is nevertheless extremely valuable. The sources referred to by Gracchanus were probably the ancient law-books, and certainly most authentic ones. I can say, with

<sup>2</sup> Livy, iv. 7, 20, 23; vii. 9; ix. 38, 46; x. 9. Compare Dionys. ii. 52; iv. 6; v. 74, and *passim*.

<sup>3</sup> vii. 9; ix. 46; x. 9.

<sup>4</sup> Compare vol. i. p. 546, foll.

<sup>5</sup> *Hist. Nat.* xxxii. 3 and 5.

<sup>6</sup> His history appeared in 1726 under the title: *Geschichte der Deutschen bis zu Anfang der Fränkischen Monarchie*. An English translation of it by Thomas Lediard appeared in 1738, London, 2 vols. 4to.

<sup>7</sup> Cicero, *ad Att.* i. 4; Plutarch, *Cic.* 9; Valer. Max. ix. 12, 7.

<sup>8</sup> Compare vol. ii. p. 10, foll., and note 251.

the fullest conviction, that all his statements were correct.

There is no quotation from Fenestella referring to the early times of Rome, whence I infer that he did not write the entire history of Rome.

Among the minor writers on Roman history there occurs one Victor, to whom is assigned a work entitled "*Origo gentis Romanæ*;" in it are quoted most of the earlier annalists, also the *annales maximi* (even for the arrival of *Æneas*), *Sex. Gellius*, *Domitius*, *Egnatius*, *M. Octavius*, and many others whose very names are otherwise unknown. The work was first published by *Andreas Schottus*. Considering the resemblance of the book to that of *Fulgentius*, to the *Scholiast* on the *Ibis*, and other commentators of the time, who likewise refer to both known and unknown authors, we might be inclined to consider it a production of the fifth or sixth century of the Christian era; but the whole work is a fabrication of modern times; not, indeed, written by *Schottus* himself, but by one of the impostors who were so numerous about the end of the fifteenth century. The works ascribed to *Messalla*, *Fenestella* (*de magistratibus*), and others in the same collection, were forged at the same period. The impostor may have become acquainted with *Octavius* from the *Scholiast* on *Horace*, and have taken *Sext. Gellius* from *Dionysius*, who says—"I state what the *Gellii* and others have written." The quotations from *Cato* in this work are contradicted by the most conclusive evidence, which we possess in *Servius* and others concerning *Cato*.

This was the condition of Roman history in the time of *Cicero*. After the consulship of *Cicero*, while *Caesar* was in Gaul, *Q. Aelius Tubero*, a friend of *Cicero*, wrote Roman annals, which were likewise founded on authentic documents; though, unless he has been greatly wronged, he cannot be compared with *Macer* in importance.<sup>8</sup> He accompanied *Cicero*

as legate into Asia; he belonged to the party of the optimates, and was a very honest man. *Livy* quotes his work from the earliest times; and whatever is preserved of it, bears a character of great historical respectability, although we see that he was not acquainted with the ancient constitutional phraseology, and did not distinguish between the institutions of his own time and those of the earlier periods.

*T. Pomponius Atticus* wrote Roman annals, which seem to have been nothing more than chronological tables.<sup>9</sup> It was not an unusual thing, at that time, to draw up short historical outlines from the detailed narratives of others, as *Cornelius Nepos* did, after the example of *Apollodorus*. Thus sciences extend and become contracted again. The annals of *Atticus* seem to have been valuable; but as we never find them quoted, we may conclude that of many books of this kind we know nothing.<sup>10</sup>

In the admirable introduction to the work "*De Legibus*," *Cicero* represents himself as being told by his friend *Atticus*, that his countrymen were looking to him for a history of Rome; and he seems to have done this, not from vanity, but because he thought it his duty to write such a work, and because many of his friends had actually expressed such a wish to him. To this suggestion, he replies in a manner which shews that he would have liked to undertake the task, but that at the same time he had never entertained any serious thought of doing it. But, however this may be, we may, without injuring his reputation, assert that, had he ventured upon it, he would have attempted something which was beyond his powers. He was a stranger to the early history of

ii. 15; *Cicero, ad Quint. Frat. i. 1, pro Planc. 42, pro Ligario, 7, foll.*

<sup>9</sup> *C. Nepos, Hannib. 13, Attic. 18; Cicero, Brut. 3, 5, and 11, Orat. 34; Asconius in Pison., p. 13, ed. Orelli.*

<sup>10</sup> There are passages in which the work of *Atticus* is referred to, as those in *C. Nepos* and *Asconius* referred to above, and *Ascon. in Cornel., p. 76, ed Orelli*; but we have no quotations from it.

<sup>8</sup> See *Livy. iv. 23; Sueton. Caes. 83; Gellius, x. 28, xiv. 7 and 8; Servius, ad Aen.*



his country; <sup>11</sup> he was more of a statesman than a scholar, and a man of an immensely active and indefatigable character. The task of writing a history of Rome would have required a series of studies for which he had no time. In his work, "*De Re Publica*," we have an opportunity of seeing how exceedingly little knowledge of the constitution he possessed when he began writing it. He does not seem to have made use of Junius Gracchanus, but to have derived the greater part of his information from Polybius, and perhaps from his friend Atticus.

There are many other writers whom I might mention, such as Antipater, Fannius, Polybius, Posidonius, Rutilius, Lucullus, Scaurus, and others, many of whom wrote in Greek. <sup>12</sup>

Sallust, as he himself says, <sup>13</sup> found the history of his country unwarrantably neglected, although, if it had been written, it would have thrown that of the Greeks into the shade. It would, indeed, have been a problem for a man who had the power of writing it; since the Romans had no history of their country, any more than we have one of Germany. Sallust, like Cicero a man of great activity, had the necessary qualifications for writing it; but as a practical man he neither would nor could undertake the immense preparations it required, and he wisely chose separate portions of it, especially those in which Sisenna did not satisfy him. <sup>14</sup> Thus he wrote his Jugurthine war, the object of which was to show how the Roman world had sunk in every respect through the government of the oligarchs; and how the popular party was developing and gaining strength through the shameful abuse which the aristocratical party made of its victory. His "*Historiae*" began after the death of Sulla, and were intended to describe the reaction against

the unreasonable institutions of the dictator, and the war against Sertorius. In his account of the conspiracy of Catiline, who belonged to the party of Sulla, his object was to show what degenerate villains those aristocrats were, who called themselves *optimates* and *boni*; he suggests that their party had already lost its importance, and that their proceedings were no better than those of robbers. If Sallust had not been satisfied with the history of the other events which were described by Sisenna, namely the period between the Jugurthine war and the consulship of Lepidus, he would undoubtedly have written it himself. Much has already been done for Sallust; but there are yet many laurels to be gained. <sup>15</sup>

Owing to the great change in the Roman world under Augustus, the history of the Roman republic was closed like the temple of Janus. Every one had now gained the full conviction that no remedy could be expected from the forms of the law, but that it was necessary to keep the state together from without like a mass of heterogeneous things; and this conviction had, of course, its influence upon the historians of the age, for after such events history appears in quite a different light, and is written in a different manner. During this period there appeared many historians, just as had been the case in Greece after the fall of the Athenian state. After the death of Caesar, Diodorus Siculus wrote his work, but on such a plan, that the history of Rome formed only a secondary part of it. It is not improbable that Timaeus too, in his history of Italy and Sicily, had interwoven that of Rome, but only for the very early times. Diodorus entertained the idea which could occur to no one but a person devoid of judgment, of writing the whole of ancient history in a synchronistic form, at first in masses, and afterwards year by year down to the consulship of Caesar, when he entered upon his Gallic war. He concluded

<sup>11</sup> Compare vol. i. note 1040.

<sup>12</sup> These authors were not mentioned by Niebuhr in his Lectures. The short notice here inserted was found among the few MS. leaves which were given to Dr. Isler, to be used in the preparation of the Lectures for publication.

<sup>13</sup> *Catiline*, 7.

<sup>14</sup> *Jugurth*, 100.

<sup>15</sup> Respecting Niebuhr's opinion on the letters addressed to Caesar, which are commonly ascribed to Sallust, see vol. iii. p. 342, foll.

his work with the period previous to the outbreak of the civil war in order to avoid taking in his account the side of either party. This was, however, a suitable epoch, as he probably composed his work before the termination of the disturbances. From his introduction it is evident that he wrote his history after Caesar's death, for he there mentions that event, and calls Caesar *Divus*. Scaliger hit upon the unfortunate idea of inferring from a passage (i. 68), that Diodorus did not write till the year 746, and consequently left unwritten the history of the fifty years immediately preceding his own time. This opinion passed from Scaliger into the work of Vossius "De Historicis Graecis et Latinis," and thence into Fabricius' "Bibliotheca Graeca." The passage states of the Olympiads, that they were a period of four years, called by the Romans *bis-sextum*; hence Scaliger infers, that he could not have written before the year 746, because in that year Augustus fixed the intercalation every four years. This interpretation is highly ingenious; but the passage is an interpolation, as has been observed by some of the earlier commentators, and by all the later ones, so that Wesseling even removed it from the text. The expression *χρόνος* for *year*, which there occurs, is modern Greek, just as *tempus* is used in the sense of *annus* after the fifth century.

Diodorus is an interpolated author; the falsifications were made at the time of the revival of letters, when MSS. were greatly in request and were dearly paid for. They consist chiefly of omissions. From the eleventh down to the twentieth book there are sometimes Fasti which do not agree at all with our Fasti; and it is often impossible to identify the names which occur in them. His accounts of the earliest times were probably taken from Fabius: where Polybius began, he seems to have used him also down to the year 608; he may, moreover, have availed himself of Posidonius, Rutilius, Sulla, and Lucullus.

We now come to the two great historians, who simultaneously composed

their works on Roman history. In the introduction to his work, Dionysius gives a full account of himself and of the time at which he wrote. He came to Rome after the end of the civil war between Augustus and Antony, and remained there twenty-two years, which he spent in preparing his work. It was published in the year 743, according to Cato (745 according to Varro),<sup>16</sup> for it is evident that the passage to which I allude, is not to be understood of the time when he began writing, but of the time when he wrote his introduction and prefixed it to his work. He calls himself a son of Alexander of Halicarnassus, and he came to Rome in the capacity of a rhetorician. His rhetorical works, which belong to an earlier period than his history, surpass all others of the kind in excellence, with the exception of those of Aristotle: they are full of the most exquisite remarks and criticisms, the opinions of an amiable man of refined judgment, and we have therefore the more reason to lament that the texts are so much corrupted. I believe that it is Dionysius whom Strabo<sup>17</sup> mentions under the name of Caecilius; for if he obtained the Roman franchise, he must also have received the name of a Roman gens.<sup>18</sup> A Caecilius is mentioned in the lives of the ten orators which are ascribed to Plutarch,<sup>19</sup> and some have been of opinion that this is the same Caecilius who was quaestor under Verres in Sicily and afterwards wanted to come forward as his accuser; but I suspect that the Caecilius in the lives of the ten orators is likewise Dionysius, for what is attributed there to Caecilius is nothing else than what we find in Dionysius.<sup>20</sup> However, I am well aware that this is not a sufficient criterion, since the same things may

<sup>16</sup> Dionys. i. 7.

<sup>17</sup> v. p. 352, ed. Alm.

<sup>18</sup> Atticus too is mentioned under the name of Caecilius (Sueton. *Tiber.* c. 7), but this occurs seldom; and it is not likely that he should be meant.—N.

<sup>19</sup> P. 832, E. Compare Plutarch, *Demosth.* 3.

<sup>20</sup> This supposition of Niebuhr's seems to be contradicted by Quinctilian (iii. 1, 16), who mentions Caecilius and Dionysius together as two distinct rhetoricians.

have been said in books of different writers; but at all events it seems probable to me, that Dionysius was frequently called by his Roman name, as Josephus was often called Flavius.

He wrote his work in twenty books, comprising the history from the earliest times down to the beginning of the first Punic war. He did not proceed further, either because Polybius (whom he however disliked) began at that point, or because the much read history of Fabius formed a suitable continuation. The first ten books are complete; the eleventh is much mutilated, as several leaves have been torn away; but we possess extracts from the latter half of the work which were made by Constantinus Porphyrogenitus in his collections "De Vitiis et Virtutibus," and "De Legationibus." Besides these extracts, we have a collection of curious fragments which, under the title of *ἐκλογαὶ Διονυσίου τοῦ Ἀλικαρνασσεως*, exist in several libraries, but are very much mutilated, and sometimes quite unintelligible.<sup>21</sup> Their existence had been mentioned by Montfaucon long before their publication by Mai.<sup>22</sup> They contain much valuable matter, but are in an awful condition, consisting mostly of unconnected sentences; they are perhaps remnants from lost books of Constantinus Porphyrogenitus. Dionysius himself made an abridgment of his work in five books, to which Mai erroneously refers those fragments. Of the first ten books there are more manuscripts than of any other ancient work, and some of them are very old: the Codex Chigginianus which belongs to the tenth century, and the Vatican manuscript of the eleventh century,

are excellent. The eleventh book exists only in very few manuscripts, and these are of recent origin, not older than the fifteenth century. The division into books is observed in all of them, as it was in the ancient manuscripts which were made when works were no longer written on rolls, but in codices, and when several books of a voluminous work together formed one volume.<sup>23</sup> It is highly probable that the work of Dionysius, like that of Livy,<sup>24</sup> was originally divided into decads. Hence the first volume of Dionysius, which contains the first decad, is preserved, and of the second there seems to have existed a copy for a long time, for Photius still knew it; but only a few torn leaves were extant when pope Nicholas V. began to collect libraries. Hence the text of the extant portion of the eleventh book is far more corrupt than that of the preceding ten.

The Greek text of Dionysius was first published by Robert Stephens (Paris, 1546, fol.), but unfortunately from a very bad manuscript. Previously to that time Dionysius had been very generally read in a Latin translation which had been made by a Florentine, Lapus<sup>25</sup> Biragus (Treviso 1480), in the time of Sixtus IV.<sup>26</sup> from a very excellent, probably a Roman manuscript. Lapus, however, was like so many others an unskilful translator,<sup>27</sup> and very indifferently

<sup>23</sup> In this manner, the *Digestum Vetus* comprised in one volume twenty-five books, and the *Digestum Novum* formed a second volume, beginning with the twenty-sixth book; so also the Theodosian code.—N.

<sup>24</sup> It is an unfounded remark of Petrarch's, that the division into decads was not made by Livy himself.—N.

<sup>25</sup> Lapus is a Florentine corruption of Jacobus.—N.

<sup>26</sup> This pope did a great deal for literature; he arranged and collected in his Vatican library all that could be gathered of ancient literature.—N.

<sup>27</sup> The translation of Herodian by Angelus Politianus is really excellent; but, generally speaking, the men of that age were not able to translate. Their works were nevertheless much read and often printed. To us they are of importance, in so far as they represent the manuscripts from which they translated; and Lapus' translation agrees almost throughout with the Vatican MS.—N.

<sup>21</sup> Compare vol. ii. note 916; vol. iii. note 934.

<sup>22</sup> Mai has published them from a Milan MS. He has great merits, and I readily admit them; but he also has an unfortunate vanity, and in the present instance he never mentioned that the existence of these fragments had been noticed by Montfaucon, who had shown him the way. One of Mai's own countrymen, Ciampi (*Biblioth. Ital.* tom. viii. p. 225, foll.), has censured him for this want of candour; this, however, must not prevent our acknowledging our great obligations to him.—N.

acquainted with Greek, like Petrus Candidus, Raphael Volaterranus, and Leonardus Aretinus; still the works of these men were received and read with great interest, until people discovered how very deficient and incorrect they were. H. Glareanus then corrected it and published a new edition of it at Basle (1532). He also made use of a MS., and he himself says that he corrected Lopus in six thousand places. This improved edition was likewise used very much; but as Glareanus had merely corrected Lopus, Sigismund Gelenius of Cologne made an entirely new and far better translation, and it was not till after the publication of this new translation, which may likewise serve as a MS., that R. Stephens published the Greek text. In 1586, Frederik Sylburg gave to the world a second edition of Dionysius, which is the best that has appeared: a more useful one cannot be wished for. He availed himself of the translations of Lopus and Gelenius; but although he had a critical apparatus, and collations from Venetian and

Roman manuscripts, though apparently not complete, yet he did not correct the text, which is greatly to be lamented, considering the excellent power of divination which he possessed. His notes are most masterly, and no other editor ever did for his author, what Sylburg did for Dionysius. The philological index added to this edition is unequalled, and the historical one is almost perfect. Sylburg is a man of whom German philology may be proud, but his merits are not yet sufficiently recognised. Whoever has made himself acquainted with his works, must own that he is not inferior to any philologer, not even to the great J. Fr. Gronovius. He contributed very much to the Greek Thesaurus of Henry Stephens, but unfortunately we cannot ascertain which parts of the work belong to him. He also distinguished himself by what he did for the *Etymologicum Magnum*, Pausanias, and Clemens of Alexandria. His edition and translation of the Syntax of Apollonius are likewise very important.

## LECTURE VII.

AFTER the edition of Sylburg, which was published by Wechel at Frankfort, and is rare, a reprint was made at Leipzig in 1691, and more than a century passed before anything further was done for Dionysius, until the new edition<sup>1</sup> of Hudson in 1704. Hudson

had the excellent Vatican manuscript, and gave a collation of it in his notes, but did not know what use to make of it. The edition is beautifully printed; but the notes of Sylburg are generally omitted, and sometimes given in a mutilated form. Although the edition of Sylburg is incomparably more useful to a scholar than that of Hudson, still the latter gained great celebrity in Germany. Strange prejudices were then afloat respecting editions of ancient authors; and as Clarke's Homer had been reprinted in Germany, so now Hudson's edition of Dionysius was thought worthy of being reprinted at Leipzig.<sup>2</sup> When the first

<sup>1</sup> London, 2 vols. fol. Hudson, being the friend of Dodwell, was looked upon in England as a great philologer, although England, at the time, possessed in Richard Bentley the greatest philologer that ever lived, but—*obstrepebant*. Bentley was a Whig, and the Tories were bent upon keeping him down: the whole University of Oxford conspired against him, but to no purpose. They wanted to set up Hudson as a great philologer against him, though in reality he was but a poor bungler. He did not do the least for his *Geographi minores*, any more than Reiz did for Lucian. Reiz and Hudson were men of the same cast: they had the good fortune to hold eminent positions, and although stupid,

they were trumpeted forth as wise men and great scholars.—N.

<sup>2</sup> 1774—1777, 6 vols. 8vo.



volume was nearly printed, the publisher requested Reiske to correct the proof sheets, but Reiske was unable to do such a thing without making emendations. He had a very active mind, and an excellent talent for divination, but was too hasty.<sup>3</sup> He had read Dionysius only once before, and while he was correcting the proofs, he put into the text the readings of the Vatican manuscript as well as his own emendations, which are sometimes good, but sometimes very bad: an account of his emendations is given at the end. In D. G. Grimm's Synopsis nothing has been done for the criticism of Dionysius, who is still waiting for a competent editor; if I could obtain a collation of the Codex Chigginus, I should like some time or other to undertake the office, and bring out a new edition.

The circumstance, that Dionysius in his rhetorical works shews himself to be a man of sound judgment, is calculated to win our confidence; and this impression is greatly enhanced by his stating that he spent twenty-two years upon his work, during which period he learned the Latin language, read the Roman annals and made himself acquainted with the Roman constitution in Rome itself. The first eleven books carry down the history only a little beyond the time of the decemvirs; but the whole work contained the history down to the first Punic war, where Timaeus also stopped, and where Polybius began. Dionysius lived on terms of friendship with many distinguished Romans, and wrote with a feeling of real esteem for the greatness of the Roman people. He called his work *Archæologia*, a name which does not seem to have been used before him. As in the eleven books still extant, he does not carry his history further than Livy does in his first three; as he has one whole book before he comes to the building of Rome; and as he has two more which contain the history of the

kings down to the banishment of Tarquinius Superbus, the minute history of those early periods excites our mistrust in regard not only to his trustworthiness, but also to his judgment. It is not to be denied, that in this respect Dionysius had formed a plan which we cannot approve of; and even independently of his taking the history of the kings as historical, the attempt to write a pragmatistical history from the earliest times is a blunder at which we sometimes cannot help smiling; but the longer and the more carefully the work is examined, the more must true criticism acknowledge that it is deserving of all respect, and the more will it be found a storehouse of most solid information. Before Roman history was treated critically, Dionysius was neglected, and his work was despised as a tissue of follies; and indeed if any one should wish to decry him, he would not find it very difficult, for there are passages in him, in which the most intolerable common-places, nay, things which are utterly false, are set forth in long rhetorical discussions. But leaving such things out of the question, I say, that we cannot value too highly the treasures we possess in him. Through him we become acquainted with a multitude of facts derived from the ancient law-books and annalists, though he may not have consulted them himself, and with institutions which are but too often referred by him to the kings as their authors: we owe it solely to him that we are not in utter darkness about these things, and about an infinite number of changes in the laws and constitution. The careful use which he made of his authorities, renders him invaluable to us; sometimes even the foundations of his speeches are taken from ancient annalists; many circumstances at least, which were mentioned in them, and which he could not incorporate in the body of his history, are introduced in his speeches, which consequently, often contain traces of a genuine tradition, though otherwise everything seems to be arbitrary in them. Thus in the speech of a patrician, said to have been delivered on the occasion of a

<sup>3</sup> I honour Reiske as a friend of my father, and I cannot let an opportunity pass without praising him; but I cannot on this account conceal his defects.—N.

popular tumult, we find the words "if all expedients fail, why should we not rather grant the isopolity to the Latins, than humble ourselves before the plebeians?" Now this isopolity was afterwards actually granted to the Latins in the peace, a fact which cannot be doubted, though it is not noticed by Dionysius. This therefore is one of the passages where he inserted in a speech a statement which he found in the annalist's account of the peace. But the mistakes into which he fell, must be distinguished from the substance of the accounts which he collected. Having once lost the thread with which he might have found his way in the labyrinth, it was impossible for him not to go astray. This would not have happened to him, if he had understood the expressions of Fabius; but he knew nothing of the ancient mode of expressing constitutional relations, and was misled by the meaning which constitutional terms had assumed in his own days. He did not comprehend the happy distinction of Fabius between *δῆμος* (populus) and *πληθος* (plebs), and he called the former *πληθος*, and the latter *δῆμος*.<sup>4</sup> Hence he often finds himself in a painful perplexity; and we see how, from mere ignorance, he torments himself with riddles, when he places the *δῆμος* in opposition to the *πληθος*, and makes the tribunes disturb the assemblies of the people. But he is determined to find his way, and does not pass over anything, although it may cause him pain. That he is a rhetorician and not a statesman, is indeed but too manifest, and hence his judgment is deficient, though not absolutely bad, for he was an extremely intelligent man. His language is very good, and with a few exceptions it may be called perfectly pure. But what may be brought against him as a proof of his bad taste are his speeches, in which he imitated Thucydides in such a manner, that he made his heroes speak as if all of them were Athenians, and thus causes them to lose all their individuality of charac-

ter. I read Dionysius at a very early age, and as a young man I studied his *primordia* of the early history of the Italian nations, till the exertion exhausted my strength; but few results were to be gained. I have gone through him more carefully and perseveringly than perhaps any one else: his faults did not escape me, and I thought him far inferior to Livy. I have been censured for wishing to find fault with him; but assuredly no one feels that respect, esteem, and gratitude towards him which I feel. The more I search, the greater are the treasures I find in him. In former times it was the general belief, that whatever Dionysius had more than Livy were mere fancies of his own; but with the exception of his speeches there is absolutely nothing that can be called invented: he only worked up those materials which were transmitted to him by other authorities. It is true that he made more use of Cn. Gellius and similar writers than of Cato; it is also true that he not unfrequently preferred those authors who furnished abundant materials to others who gave more solid and substantial information<sup>5</sup>—all this is true; but he is nevertheless undervalued, and has claims to an infinitely higher rank than that which is usually assigned to him. He worked with the greatest love of his subject, and did not, certainly, intend to introduce any forgery. He is not now, nor will he perhaps ever be, much read.

It was nearly about the time of the publication of Dionysius (743, according to Cato, or 745, according to Varro), that Livy began to write his history. It is my conviction that he did not begin earlier; and I here express it after mature consideration and scrupulous investigation. He was born at Patavium in 693 according to Cato, or 695 according to Varro, in the consulship of the great Caesar, and died in his eightieth year, in 772 according to Cato, or 774 according to Varro: that is, the twentieth year after the birth of Christ; so that he saw the early part of the reign of

<sup>4</sup> Compare vol. ii. notes 417 and 431, and p. 220 foll.

<sup>5</sup> Compare vol. ii. p. 11.



Tiberius. The only circumstances of his early life which we know, are, that he commenced his career as a rhetorician, and wrote on rhetoric.<sup>6</sup> But these early works were obscured and thrown into the shade by the deep impression which his history made upon his contemporaries. There are several reasons for believing that he began the composition of his history at a late period. The first decad of his historical work has been called a work of his youth, as if he had written it at the age of about thirty, or even earlier. But against this opinion the following reasons must be adduced:—In speaking of Numa, he mentions Augustus as the founder and restorer of all temples,<sup>7</sup> which cannot have been said before the year 730; the closing of the temple of Janus,<sup>8</sup> and the building of the temple of Jupiter Feretrius.<sup>9</sup> He also mentions Caesar Augustus in the war of Cossus. Dodwell, a man who seldom hits the right point, is perfectly right here, when he observes that, from the manner in which Livy speaks of Spain, it must have been conquered by Augustus.<sup>10</sup> The ninth book was written after the campaigns of Drusus in Germany; for, in speaking of the Ciminian forest, he says, that at that time the roads through it were more impassable and horrible *quam nuper fueri Germanici saltus*,<sup>11</sup> and Domitius Ahenobarbus and Drusus were the first who, in the year 740, threw the German forests open to the Romans. It might indeed be said that these passages were later additions, but it can easily be recognised whether a work is composed in one breath, or has been re-fashioned; and there can be no doubt that Livy's work belongs to the former class. To these facts we may also add the circumstance that Dionysius nowhere mentions Livy. If a work written in such a masterly manner as

that of Livy had existed, we should be utterly unable to comprehend how Dionysius could have remained ignorant of it, or have overlooked it; nor could Dionysius have complained of the total neglect of the materials of Roman history. In Livy, on the other hand,—and that even in the last books of the first decad,—we find several traces of his having read Dionysius. From the Excerpts “De Legationibus,” we know the manner in which Dionysius treated the Samnite war; and Livy's narrative of it cannot possibly have been derived from Roman annals, but must have been taken from Greek authorities, especially the account which he<sup>12</sup> gives of the manner in which Naples fell into the hands of the Romans, which Dionysius seems to have taken from a Neapolitan chronicle; Livy himself could not know this, and yet gives a detailed account of it; he must have had a Greek source, and this was certainly no other than Dionysius. It is also probable, that in his comparison of the power of Alexander the Great with that of the Romans,<sup>13</sup> he followed a Greek writer who had done the same before him. The account of the war of Pyrrhus, and of the piratical expedition of Cleonymus,<sup>14</sup> must likewise have been taken from a Greek writer, which I believe the more firmly, as in that narrative Livy calls the Sallentines, Messapians,<sup>15</sup> probably not knowing that the latter was the Greek name for Sallentines. I therefore firmly believe that Dionysius had completed his work before Livy finished his first decad, and that the latter made use of Dionysius even before he wrote the eighth book. Nay, it is not impossible that the Greek work of Dionysius may have suggested to Livy the idea of writing the history of Rome in Latin. The liveliness and freshness of the style of

<sup>6</sup> Quintil. x. i. 39, viii. 2, 18; Senec. *Epist.* 70; Sueton. *Claud.* 41.

<sup>7</sup> Livy, iv. 20.

<sup>8</sup> Livy, i. 19.

<sup>9</sup> Livy, i. 10.

<sup>10</sup> *Annal. Vellei.* p. 19.

<sup>11</sup> Livy, ix. 36. Compare vol. iii. p. 279, note 485.

<sup>12</sup> viii. 22, foll.

<sup>13</sup> ix. 18, foll.

<sup>14</sup> x. 2.

<sup>15</sup> It is by a slip of the memory that Niebuhr here refers this Greek name to the account of the expedition of Cleonymus (x. 2.), for it occurs in the account of Alexander of Epirus (viii. 24).

Livy's work may indeed be said to be opposed to my supposition, that he wrote it at an advanced period of his life; but such things depend merely upon the personal character of the writer. Let no one say that I allow him too little time to complete his history; for as he was about fifty years old when Dionysius published his work, there still remained thirty years from the time he commenced his history until his death; and the work is not too extensive to be executed in the course of twenty-five years, especially if we take into consideration Livy's method of writing. It is moreover probable to me that he died before he had accomplished his object. We know it to be a fact that his work consisted of one hundred and forty-two books, and that the last of them ended with the death of Drusus. Here we perceive an evident want of symmetry, which with Livy and the ancients in general would be something incomprehensible. The whole plan of the work renders it manifest that it was intended to be divided into decads; the very word *decas* would not have been invented in later times. If we possessed the second decad, we should see still more clearly that it was Livy himself who made this division. The twentieth book, for instance, must have been of double the extent of the others; and this for no other reason but because he would not begin the second Punic war with the twenty-second book, in order that this war again might be brought to a close in the thirtieth, and that the thirty-first might open with the Macedonian war. He cannot therefore have intended to close his work in the middle of a decad. The epitome at least extends only to the 142nd book; and we should therefore be obliged to suppose that at the end some books of the epitome are wanting, as two are actually wanting in the middle.

If we examine Livy's history with due attention to style and the mode of treating his subjects, we find it extremely unequal. The several decads are essentially different from one another; and the first book of the first

decad differs materially from the other books of the same decad. The first book and some parts of the second Punic war are, perhaps, the most beautiful portions of the whole work, and show how unsurpassable he would have been, if he had written a more condensed history. The second Punic war is written with peculiar care, and contains passages of the most exquisite beauty. Throughout the first decad he is extremely eloquent, and many parts are very successfully worked up. The more Livy feels himself free from restraint, the more beautiful is his narrative. In the third decad, where he has to record the recurrence of the same or similar circumstances, he himself often grows weary, and writes without pleasure; but the descriptions of the battles of Trasimenus and Cannae are still excellent. This, however, is the turning-point. From the thirty-first book onward all are far inferior; he uses more words than are needed, and we see traces of old age. In the fourth and fifth decads, which are much below the second, he gave for the most part a mere Latin paraphrase of Polybius, and he could not indeed have chosen a better guide: but it is evident that he is beginning to hurry onwards to other subjects, and here things happen to him which we scarcely ever meet with in the earlier books: he contradicts himself, his style becomes prolix, and he relates the same things over again. The style of the fragment belonging to the ninety-first book, which was discovered at Rome, is perfectly different from that of all the other extant parts of his work: repetitions are here so frequent in the small compass of four pages, and the prolixity is so great, that we should hardly believe it to belong to Livy, if we did not read at the beginning of the fragment: *Titi Livii liber xci.*, and if sundry other things did not prove it to be his. Here we see the justice of the censures which the ancient grammarians passed upon him for his repetitions and tautologies.<sup>16</sup>

<sup>16</sup> Diomedes quotes a passage from Livy, which does not occur in the extant books, and

Here we see how the great writer has grown old and become loquacious, a character so exquisitely portrayed by Cicero in his Cato Major, and which may have been very agreeable in personal intercourse with Livy. If we possessed the second decad, which was probably far better than the later ones, we should see manifest reasons to account for the loss of the latter; for as they were so much inferior to the first decads, they were never read in the schools of the grammarians, and

consequently were very seldom or never copied. His preface is very characteristic: it is one of the worst parts of his work; whereas the introductions in the great practical historians, Thucydides, Sallust and Tacitus, are real master-pieces of composition. This may be accounted for by the fact, that Livy began his work without being conscious of any definite object, while the other historians sketched in bold outlines the results of their long meditations.

## LECTURE VIII.

It is quite manifest, that at the time when Livy began his work, he was anything but intimately acquainted with his subject, although, considering that the history of Rome was at that time extremely neglected, he may, comparatively speaking, have possessed a tolerable knowledge of it, for he had read several of the old books; but he had no mastery whatever over his subject.<sup>1</sup> His reasons for undertaking the task were undoubtedly those which he states in his preface: his delight in history and its substance, and the consolation to be derived from its pages at a time when the Romans were recovering from the evils of their civil wars, and the rising generation required to be refreshed by being led back to the glorious times of old. He seems to have set to work immediately after he had formed the resolution, and with that enthusiastic delight which we generally feel the moment after we have come to the determination to realise a grand idea. In the first part of his work, the history of the

kings, he followed Ennius alone,<sup>2</sup> whence his accounts are consistent in themselves and not made up of contradictory or irreconcilable statements. But as he went on, he gradually began to use more authors, though their number always remained very limited. In Livy everything stands isolated, whereas in Dionysius one thread runs through the whole work: Livy took no pains to write a learned or authentic history. Of the history of foreign countries he was quite ignorant; he could not have stated that the Carthaginians came to Sicily for the first time in the year 324, if he had known that fifty years before they had made their great expedition against that island; the expedition of Alexander of Epirus ought, according to him, to have lasted eighteen years; and he mistakes Heraclitus, Philip's ambassador to Hannibal, for the philosopher of that name.

We must suppose that Livy, like most of the ancient writers, dictated his history to a scribe or secretary, and the manner in which he worked seems to have been this: he had the events of one year read to him, and then dictated his own history of that year, so that he composed the work in portions, each comprising the events of one year, without viewing this year

which runs thus: *legati retro domum, unde venerant, redierunt.*—N. Similar tautologies, however, occur in the earlier decads also. In xxxvii. 21, we read: *inde retro, unde profecta erat, Elaeam rediit*; in xxxviii. 16: *Leonorius retro, unde venerat, cum majore parte hominum repetit Byzantium*; and xl. 48: *Convertit, inde agmen retro, unde venerat, ad Alcen.*

<sup>1</sup> Compare vol. i. p. 3.

<sup>2</sup> Compare vol. i. p. 346, foll. and p. 234.

either in its connexion with the preceding or the subsequent one. Hence it often occurs that the end of a year appears at the same time as the conclusion of a series of events; and hence we also very often find that the events recorded in one year are irreconcilable with those of the year preceding. These inconsistencies, however, are not unfrequently of very great use to us, since they sometimes give us interesting information concerning events about which there existed different accounts. At first Livy used only few annalists; taking one as his foundation, so that generally the events of any one year are not contradictory; Fabius,<sup>3</sup> Valerius Antias,<sup>4</sup> Tubero<sup>5</sup> and Quadrigarius are mentioned; but I doubt whether he had read the *Origines* of Cato, and I cannot say whether he made use of Quadrigarius for the period which followed immediately after the burning of the city by the Gauls. It seems probable to me that he did not employ the pontifical annals, until he reached nearly the end of the first decad. With Polybius he was unacquainted until after he had related the first half of the second Punic war; for had he known the incomparable, critical, and authentic account which Polybius gives of this war, he would not in the first period of it have followed Coelius Antipater, who wrote the history of it *ex professo*, and who, although his narratives were written in a beautiful style, was a wretched historian. The whole description of the siege of Saguntum and of Hannibal's passage over the Alps, is probably taken from Coelius Antipater, and would have been very different if he had used Polybius. During this period he does not seem to have made use even of Cincius Alimentus, but on reaching the time when he had to speak of Philip of Macedonia, his attention turned, or was turned by some one, to Polybius, whom he now translated into Latin

throughout the fourth decad, whenever he had no annalist ready at hand to consult about the internal affairs of Rome. When Polybius failed him, he continued writing his history in the same manner, and followed his authors such as Posidonius, the memoirs of Rutilius, Sulla, and in the later times, perhaps, Asinius Pollio's history of the civil war, Theophanes and others, most uncritically, and gave what he found in them. Thus the further he advanced, the more he was obliged to enter into details, and the more also did he become conscious of his real calling; but unfortunately he grew old at the same time. Seneca in his seventh Suasoria has preserved Livy's description of the character of Cicero, which is excellent. If we compare with this his other narratives one by one, we see the greatness of his talent for narration—which is with us so much valued in writers of novels—the liveliness of his portraits, and his clear perception of character.<sup>6</sup> In these points he is a master of extraordinary powers; but he is altogether deficient in a clear survey or control over his subject; no great author, in fact, has this deficiency to such an extent as Livy. For an annalist a clear survey is not necessary; but in a work like that of Livy, it is a matter of the highest importance. He neither knew what he had written nor what he was going to write, but wrote at hazard. Thus he takes from one annalist an account, which presupposes circumstances quite different from those stated by himself. His list of the nations which revolted from the Romans immediately after the battle of Cannae<sup>7</sup> is exceedingly incorrect. It contains nations which did not revolt till several years later, and yet Livy represents their insurrection as the immediate consequence of the battle of Cannae. He shows his want of criticism in the manner in which, at the beginning of the second Punic war, he relates the tales of the siege of

<sup>3</sup> Livy, i. 44, 55; ii. 40; x. 37.

<sup>4</sup> Livy, x. 41. Compare vol. iii. p. 358, and above, p. 26.

<sup>5</sup> Livy, iv. 23; x. 9.

<sup>6</sup> Compare vol. i. p. 3.

<sup>7</sup> xxii. 61.



Saguntum and the passage of Hannibal across the Alps, which can have been copied only from Coelius Antipater. There are things stated in them which cannot possibly have happened. This want of survey is also the cause of his utter incapability of judging of events and of the persons concerned in them : he can never say whether persons acted wisely or foolishly, nor whether they were right or wrong. He had from his early youth belonged to the party of Pompey, that is, to that chaotic confusion which had formed itself out of the Roman constitution. At the time when Caesar crossed the Rubicon, Livy was not more than ten years old, and having no distinct notion of the state of things before this event, he pictured to himself the preceding period as a sort of golden age.<sup>8</sup> He seems to have been one of those men who never ask themselves whether the disease could have been avoided, and what would have been the result, if such a crisis had not taken place. It is, however, quite natural that after Caesar's victories all noble minds should have been favourably disposed to Pompey, whose object apparently was to preserve the ancient customs and constitution ; it is only we that can see that Caesar was the more beneficial of the two leaders. The false notions which Livy thus formed, are applied by him to persons and circumstances with which they have nothing to do. The tribunes, for instance, and all who are connected with them, are in his eyes seditious persons, and he speaks of them in the most revolting terms.<sup>9</sup> When Tarkinus Superbus intended to usurp the supremacy over the Latins, and Turnus Herdonius opposed him, which was no more than his duty, Livy<sup>10</sup> calls

him *seditiosus facinorosusque homo, hisque artibus opes domi nactus*, and this merely because the man had courage enough to oppose a tyrant more powerful than himself. For such sentiments, Livy must have become proverbial, as one of that class of men whom the French call *Ultra* : he idolised the olden times. In this sense, Augustus called him a Pompeian,<sup>11</sup> and it is a well-known anecdote that he forbade one of his grandsons to read Livy. The youth, however, secretly continued reading, and being surprised on one occasion tried to hide the book. But Augustus, who knew that his power was too well established to suffer any injury from a work written by a dreamy partizan of Pompey, allowed his grandson to go on reading Livy as much as he pleased.

One cannot speak of Livy without mentioning the *Patavinitas* which Asinius Pollio is said to have censured in him.<sup>12</sup> It is impossible to decide whether the reproach was meant against his history, or against the speeches which he had delivered as a rhetorician. Cicero distinguished between *urbanitas* as peculiar to men born and brought up at Rome, and the eloquence of men coming from the municipia, and it may be that Asinius Pollio on some occasion when he heard Livy speak, made some such remark, as : "One discovers in his dialect that he has not been brought up at Rome ;" just as at Paris one often hears the remark, that it is easy to discover from a person's dialect that he is not a Parisian.<sup>13</sup> The charge cannot well have been applied to Livy's work, for his language is as perfect and as classical as any in Roman literature ; and much as he differs from Cicero, yet he is not inferior to him in the grammatical correctness and purity of his language ;

<sup>8</sup> We see the same thing in France. A friend of mine who is a decided royalist, and holds one of the highest offices in France, once told me that those noblemen who had been boys at the time of the Revolution, were most enraged against its principles, and fancied that the previous period was the golden age of their order and its privileges.—N.

<sup>9</sup> Instances of this occur in iv. 35, 49 ; v. 2 ; vi. 27 ; and a great many other passages,

<sup>10</sup> l. 50.

<sup>11</sup> Tacitus, *Annal.* iv. 34.

<sup>12</sup> Quintil. viii. 1, 3.

<sup>13</sup> In reading a French work, I can always distinguish whether the author is, for example, a native of Paris or of Geneva ; and a Frenchman can do this, of course, with still greater certainty. Every Frenchman must be able to recognise that Sismondi's works have something foreign about them.—N.



but there may nevertheless have been certain nice shades in style, which we are no longer able to recognise. If we further consider that Asinius Pollio had been consul thirty-one years before Livy began writing his history, and that consequently he was some seventy years old when Livy wrote, I must own that it is almost inconceivable to me that Asinius Pollio should have known the work of Livy. I therefore consider this story as one of those numberless false anecdotes which we find in the works of Macrobius. There is indeed a statement that Asinius Pollio was still alive after the death of Caius Caesar:<sup>14</sup> but this is hardly credible; for if it had been the case, Pliny would undoubtedly have mentioned him among the *longaevi*.

I need not point out to you the beauties of Livy's style; you know them well enough. What is most fascinating in him, is his amiable character and his kindness. The more one reads him, the more one forgives him his defects, and had we his last books in which he described the events of his own time, his frankness and candour would still more win our admiration and love. Few authors have exercised an influence like that of Livy. He forms an era in Roman literature; and after him, no attempt was made to write Roman annals. Quintilian compares him with Herodotus; but this can apply only to the mildness of their narratives; since Livy is wanting in the very things which distinguish Herodotus: for no other author was so rich in recollections and ancient lore, so great an investigator, and such a master in observing and inquiring, as the latter. Livy's splendid talent shows itself in his conceptions of detail, and in narration. He had no idea of the early

Roman constitution: even that which was established in his youth was not very well known to him. That which in the early institutions bore the same name as in his own days, is always confounded by him with what actually existed. There are, on the other hand, statements which are inappropriate to his own time, but are quite correct, if applied to the earlier ages. His reputation was extraordinary; it is well known that one man came from Cadiz to Rome merely to see Livy;<sup>15</sup> and this reputation was not ephemeral; it lasted and became firmly established. Livy was regarded as *the* historian, and Roman history was learned and studied from him alone. He threw all his predecessors into the shade, and nearly all subsequent historians confined themselves to abridging his work, as Eutropius did. Livy was the *Stator* of the history of Rome. After him no one wrote a Roman history except in very brief outlines, such as Florus; but even he used no sources beyond Livy, except in one passage, in which he gives a different account from that of Livy. Others, as Orosius and Eutropius, had read absolutely no history but Livy's; and as regards Orosius it is not even quite certain whether he did not draw up his sketch from some other epitome of Livy. I for one believe that he did compile his history from some abridgment of Livy. The Greeks had no such historian.<sup>16</sup> Silius Italicus, the most wretched of all poets, made only a paraphrase of Livy. I once went through this poetaster very carefully; and the result of my examination was the conviction that he had taken everything from Livy.

Livy was read in the schools of the grammarians, and more especially, it would seem, the first and third decads. These schools, generally speaking, not only survived the seventh century at Rome, but continued to exist in some places, as at Ravenna, down to the eleventh. The principal prose works that were read and commented upon

<sup>14</sup> This statement, which is found in M. Seneca, *Excerpt. Controuv.* iv., does not refer to the emperor Caius (Caligula), but to Caius the son of Agrippa, whom Augustus had adopted. Seneca says: *mortuo in Syria Caio Caesare*, which can apply only to the latter. Asinius Pollio died in A.D. 5. (Hieron. in *Euseb. Chron. ad. ann.* MMXX), and cannot possibly have known Livy's work after its completion.

<sup>15</sup> Pliny, *Epist.* ii. 3.

<sup>16</sup> Compare vol. i. p. 4.

in these schools were Livy and Cicero's orations against Catiline. It is, however, surprising that all the manuscripts of the first decad of Livy depend upon one single original copy, which was written in the fourth century by Nicomachus for Symmachus and his family; but it is very bad. There exists no manuscript containing all the extant books of Livy: those in which we find the first, third, and fourth decads, do not contain the fourth entire; of the latter, in fact, we have no manuscript older than the fourteenth century. From this we see that in the middle ages, Livy was little read, the most trivial abridgments being thought sufficient. Of the first books, however, we have manuscripts as old as the tenth century. The literary history of a work ought not to be given without that of the text. The "Bibliotheca Latina" of Fabricius is deficient in this respect; and a work which shall combine the two is yet to be written. At the time of the revival of letters, persons again began to turn their attention to Livy; they found the first and third decads in a tolerable number of manuscripts, but the fourth only in a few, and these very mutilated ones. The fourth decad was not brought to light during the first period after the invention of the art of printing; but still we see from a novella of Francesco Sacchetti, that it was known and read during the fourteenth century, though several parts of it were wanting, such as the whole of the thirty-third book, and the latter parts of the fortieth, from chapter xxxvii., which was supplied in 1518 from a manuscript of Mainz, while the thirty-third book was still wanting. The last five books, from 41 to 45, were published in the edition of Basle of the year 1531, from a manuscript of the convent of Lorsch (Codex Laurishamensis) written in the seventh or eighth century, which is now at Vienna. The first sixteen chapters of the thirty-third book were published at Rome in 1616 from a Bamberg manuscript. Göller of Cologne has lately compared this manuscript, and published very valuable readings from

it.<sup>17</sup> The Codex Laurishamensis for the last five books also has been collated by Kopitar, who has published important various readings; but they still have many gaps.

Thus we have thirty books complete, and by far the greater part of the next five. After the work had gradually been completed thus far, great hopes were excited of discovering the whole. Everybody turned his attention to Livy and was anxious to make new discoveries, and many a one allowed himself to be imposed upon by the strangest tales and reports. In the time of Louis XIV. especially, several adventurers came forward, and pretended to know where the missing books of Livy were to be found. Some said they existed in the Seraglio at Constantinople,<sup>18</sup> others that they were to be found in Chios; and some even pretended to know that there existed a complete Arabic translation of Livy in the library of Fez. Some time ago, there was a report that a translation was found at Saragossa. But the Arabs never translated historians. We know that at one time there existed at Lausanne a manuscript containing the whole of the fifth decad, but it is now lost. A real discovery was made by Bruns, a countryman of mine, who resided at Rome in the years 1772 and 1773. Attention had not been directed to palimpsests (*codices rescripti*). He found a manuscript which had originally belonged to the library of Heidelberg, perhaps a Codex Bobbianus, and which contained some portions of the vulgate of the Old Testament, but under it he discovered the words: *Marci Tullii oratio pro Roscio incipit feliciter*. He saw that the beginning was different from that of any of the extant orations of Cicero, and at first he thought that

<sup>17</sup> The work to which Niebuhr here alludes is entitled: "Livii, liber xxxiii. auctus atque emendatus, cum Fr. Jacobsii suisque notis ex cod. Bamberg. ed. F. Göller," 1812.

<sup>18</sup> It is true, that some books from the library of the Greek emperors were left behind at Constantinople at the time when the city was taken possession of by the Turks, but all of them probably perished in the great fire.—N.

the beginning of the oration *pro Roscio comedo* was lost. The original writing was not scratched out, but merely washed away, and any one who has some practice in the work can read such manuscripts without using any tincture. He requested the talented Italian, Giovenazzi, to examine the manuscript with him. The latter saw that it was the speech for Roscius of Ameria, which was already known and printed, but paid no attention to the excellent readings it contained, nor to the fact that the preceding part of the little volume contained the lost speech *pro Rabirio perduellionis*. Afterwards, whilst they were turning over several pages, they observed some which were

written in an unusually neat manner, and which both were admiring, when Bruns happened to see the words *Titi Livi liber nonagesimus primus*. They now read with incredible difficulty (for the means of bringing out the effaced characters distinctly were not known) a long fragment of Livy, with the exception of one part where the writing had been scratched away. The discovery of this part was reserved for me: I have completely read the fragment, and supplied what was not legible to my predecessors.<sup>19</sup>

<sup>19</sup> This fragment of the ninety-first book of Livy was edited by Niebuhr at Berlin in 1820, in his *Cicero pro M. Fonteio et C. Rabirio oratt. fragm.*

## LECTURE IX.

OUR text of Livy is very different in the different decads. As regards the first, you must recollect that all the manuscripts hitherto discovered depend solely on the copy of Nicomachus Dexter Flavianus; and at the end of the tenth book we read in the Florentine, the first Leyden and some other manuscripts, *Nicomachus Dexter emendavi ad exemplum parentis mei Clementiani. Victorianus emendabam Dominis Symmachis*. These MSS., the text of which is accurately copied in the Codex Florentinus, are all bad. The English Manuscripts, such as the Harleian and Lovelian, offer some various readings, but they are of very recent date, and were made after the revival of letters, by scholars who treated the text very unceremoniously, whence the various readings are not of great value. It is unpardonable that there are still so many manuscripts which have never been compared. One manuscript, the Codex from which Klockius made *excerpta* (Codex Clockianus), shows some very curious differences in its readings. It is not known where it now exists. It is altogether so singular that I have often doubted

whether the extracts from it are trustworthy, and whether Klockius really had a MS. The palimpsests of Verona agree on the whole with the Florentine manuscript, and present scarcely any remarkable difference. According to our present knowledge of MSS. therefore, we cannot hope to get beyond the recension of Nicomachus. Not one of the Paris manuscripts has yet been collated.

The text of the third decad is in a different condition; for here we have the excellent Codex Puteanus of which Gronovius made use, and which is much sounder than any manuscript of the first decad. For the fourth decad the Bamberg and Mainz manuscripts, and the *editio Ascensiana*, are the most valuable. The various readings in these are most numerous, but they have not yet been sufficiently collated and examined. The five books of the fifth decad depend entirely upon the one Vienna manuscript, the Codex Laurishamensis. Much is yet to be done for the text of Livy. The libraries of Italy contain many manuscripts; but we cannot look for much assistance from them, as the first edi-

tions of Livy which were published may generally be regarded as copies of them. The best MSS. of Latin authors are in general not those of Italy, but those of France and Germany. The texts which are commonly used in Italy are, for the most part, bad.

It is astonishing how little criticism has yet done for Livy! and yet he was one of the first on whom critical labours were bestowed. Even Laurentius Valla, a true scholar, before the invention of the art of printing, wrote brief scholia upon Livy and an historical disquisition, whether Tarquinius Superbus was a son or grandson of Tarquinius Priscus, which are reprinted in Drakenborch's edition of Livy. After him, M. Antonius Sabellicus of Venice wrote historical remarks upon Livy, which are not, however, of great importance considering his ability. Then came Glareanus, a very ingenious and able man, whose attention was particularly directed to the historical interpretation of his author, although we often find him engaged in endeavouring to restore the text. He found many incongruities, which he did not scruple to point out in his remarks. After him, many whose names are now forgotten, occupied themselves with restoring the text in the Aldine, Ascensian and Basle editions, and we can judge of them only by what they have done; but the name of Gelenius, who, probably, assisted in preparing the Basle edition, will not be forgotten. A short time after Glareanus, Sigonius of Modena wrote his scholia on Livy, which contain on the whole very good and valuable remarks; his criticisms are for the most part historical, and chiefly concerning names. In these scholia, we know not why, he constantly shows an ill feeling towards Glareanus, and treats him in a very insulting manner. Glareanus, in an edition in which he caused Sigonius' notes to be reprinted, answered his charges as a man whose feelings were hurt, but with no ill-temper. Sigonius advanced indeed the critical treatment of Livy, but at the same time he made

several arbitrary alterations, some of which have not yet been expunged from the text. His writings are very unequal, and, amongst much that is excellent, there are things which are utterly worthless and bad. In drawing up the *Fasti* he made use of Dionysius, whose work was then not yet printed. After him there followed a period of nearly 100 years, during which nothing was done for Livy, until at last J. Fr. Gronovius, who was descended from a Holstein family and was born at Hamburg, went to Holland. He might have given a new impulse to philology, which he found in a dying condition, if the age had been an impressible one; and the fruits of his exertions would have been splendid. His works are real treasures; he was one of the first men who conscientiously collated manuscripts, and he constituted the text of Livy in a masterly manner. What raises his Livy so far above those of all others, is his cautious circumspection and his astonishing grammatical and historical knowledge; he carries the prize away from all that have ever written upon Livy. But in things connected with the constitution of Rome, he does not rank among the first; here he was often misled, especially in his opposition to Brissotius,—but no man is perfect. What his immediate successors, such as Klockius, whose conjectures are very unsuccessful, and Tanaquil Faber of Saussure did, is of but little importance. The work at last passed into the hands of two Dutchmen, or, properly speaking, Germans, Duker and Drakenborch, who occupy the first rank among all the scholars that have ever edited ancient authors. As some persons are great in poetry, and bad writers of prose, and *vice versa*, so some were complete masters of the Greek language, but feeble in the Latin, and *vice versa*. Thus Duker is deficient in his knowledge of the Greek language, and his notes on Thucydides are quite worthless; but his knowledge of Latin is profound. Drakenborch has not so much sagacity and ability; but with a limited intellect, he possesses good sense: he is of an exceedingly con-



scientious character, and never indulges in conjectures without the most careful examination of every point. The store of philological knowledge he has collected is astonishing, and his edition of Livy is an inexhaustible mine for those who wish to enter deeply into the study of the Latin language. The index to his notes is highly useful but not perfect. He supplies a true model of the manner in which a work like his ought to be begun and completed: in the first parts of his work he often refers to the last books of his author, a proof of his having studied the whole thoroughly before he began writing. His materials are equally distributed over the whole work.

After Drakenborch, nothing was done for the criticism of Livy; Professor Walch,<sup>1</sup> of Berlin, was the first who resumed the task. His emendations are beautiful, and it is greatly to be lamented that he has not given to the world an edition of Livy according to his plan. As little as there is left for a future critical editor of Virgil to add to what has been done already, so much is there yet to be done for Livy, especially for his first decad. It is not impossible that there may exist manuscripts which have not yet been discovered. The nations of southern Europe have done little or nothing for Livy.

Livy is an author who, like all those who form an epoch in literature, not only exercised a beneficial influence, but also an injurious one; for he became an authority, without being a critical writer. Roman history was studied from him alone; and the early historians sank into almost complete oblivion. The only known exception of Roman history being written independently of Livy, is that of Velleius Paterculus, who began with the mythical ages, and carried his history down to about the year of the city, 783. He divided his work into two books, the first of which ended with the destruction of Carthage; but,

besides the history of Rome, it also comprised that of the earliest times of Greece. Unfortunately, the second book only is extant, and even that is incomplete; of the first, the whole of the early history is wanting: a loss which is very much to be lamented. Velleius is one of those authors who are in ill repute; and it cannot be denied that he was perverted by a sad age, in which he lost the independence of his mind: he cringed before the tyrant Sejanus, but we must not lose sight of the fact that he was more talented than his contemporaries; he is in the highest degree intellectual; his observations are exceedingly subtle. He is, moreover, completely master of his theme, and shows himself everywhere as a well-read writer, who is thoroughly initiated in his subject. He often reminds us of the writers of the age of Louis XV.

It is not quite certain whether Fabius Rusticus did not treat of the earliest history: in his time, he was perhaps the only man who could have written on it. All that was henceforth done in Roman history, consisted in epitomising, of which we possess several specimens.

There exist ancient tables of contents of all Livy's books, those of books 136 and 137 alone being wanting; they served as a sort of index for those who wished to find certain parts in the voluminous work. It is possible that they are nothing but lemmata which were written in the margin, and afterwards collected. This epitome very unjustly bears the name of Florus; the author is unknown, and it is certainly nothing but the production of some copyist. To us, however, it is invaluable; for there are many things of which we should be ignorant, were it not for this epitome.

The Roman history of Florus, in four books, which was written in the reign of Trajan, was well known and much read, but is a very bad piece of composition, though, besides many utter misconceptions, it contains a few things which are useful. Florus may have derived his information from Livy; but there is one passage in

<sup>1</sup> The work of G. L. Walch, to which Niebuhr here alludes, is entitled "*Emendationes Livianae*," Berlin, 1815.



which he differs from him, and from which we may infer that he read other authorities also.

Eutropius evidently followed Livy everywhere ; but he is so wretched an author, that it is hardly possible to believe that he read Livy : whence I presume that he read only some intermediate work between that of Livy himself and the *Epitome*. Orosius seems to have read the same, for he, too, follows Livy entirely, but gives dates which do not occur in Livy. This is just in accordance with the ignorance of the man who changed the names of the consuls into the corresponding dates. That intermediate work must have been an abridgment, like that of Trogus Pompeius, by Justin. Orosius's only object was to comfort his contemporaries in their condition, by distortions and sophistries, and by describing the miseries of the early times. On many points, however, he is very important ; but we must not allow ourselves to be misguided by him.

The influence which Livy exercised upon the Romans, and which put an end to all independent treatment of history, did not extend to the Greeks. The attention of the latter was more and more directed to Roman history, for they found in it materials for rhetorical and elegant composition.

When, therefore, the Romans ceased to write their own history, the Greeks began to undertake the task, though they did it from a different point of view, and on a more or less comprehensive plan. Among these I reckon Plutarch, who wrote under Trajan, although he composed only separate biographies. He had a definite moral object, and was a man of a noble and amiable mind ; but he had neither a practical mind, nor one fit for speculation, but was made for quiet and cheerful contemplation, similar to Montaigne. He had an honest dislike for everything vulgar ; and with this feeling he wrote, for himself and his friends, the parallel biographies of the most distinguished Romans and Greeks. He is just towards every one ; he loves the Greeks, and esteems

the Romans : whence his biographies are the most delightful reading. But his qualifications as an historian are of an inferior kind ; for he is not a critic, and does not decide between two conflicting opinions, but sometimes follows the one and sometimes the other. In his lives of Pyrrhus and Camillus, we see that he followed Dionysius ; in those of Marius and Sulla, Posidonius ; and wherever we can ascertain his authorities, his accounts gain a much more important character for authenticity : the task of finding this out is yet far from having been accomplished. Plutarch, as he himself says, knew little of Latin ; he was particularly unacquainted with its grammar : whence we sometimes, though rarely, meet with misapprehensions of his authorities.

Some thirty years after Plutarch, the work of Appian was written. He was a jurist of Alexandria ; and during the reigns of Hadrian and Antoninus Pius he lived at Rome, as the agent of his native city, and pleaded in the courts of justice. It cannot, however, be concluded from this, that he was well acquainted with the Latin language ; for as Greek was held in the highest estimation by Hadrian, Appian was probably allowed to plead in Greek, especially for the *transmarini*, although he rather boasts of his knowledge of Latin. He was on terms of intimacy with Fronto, who asked and obtained for him the office of *procurator Caesaris*.<sup>2</sup> He accumulated wealth at Rome, and then returned to his native city ; where, in his old age, he was highly esteemed by the Romans. There is a statement that his work on the history of Rome consisted of twenty-four books, comprising four on Egypt, in which he treated the history of the Lagidae with particular minuteness. It was not written according to a synchronistic system, but on the plan of Cato's *Origines*. The first book was called *βασιλική*, the second *Ἰταλική*, the third *Σαννιτική*, the fourth *Κελτική*, the fifth *Σικελική* καὶ

<sup>2</sup> M. Corn. Fronto, *Epist. ad Antoninum Pium*, 9, p. 13. foll. ed. Niebuhr.

νησιωτική, &c. The twenty-first book came down to the battle of Actium, and the twenty-second, entitled Ἑκατονταετία, comprised the history of one hundred years, from the battle of Actium down to the reign of Trajan; another book contained the Dacian and Illyrian wars; and another, Trajan's war against the Arabs. Appian was a compiler who knew well how to choose his authorities for the history of the early times. He chiefly followed Dionysius as far as he went, so that in some measure he now makes up for the lost portion of the work of Dionysius.<sup>3</sup> In his history of the second Punic war, and perhaps in that of the first, too, he followed Fabius. Afterwards he used Polybius, and where he was left by his guide, he followed Posidonius. The sources which he used were very good, but he did not know how to use them: he is bold and ignorant, especially in geography. He believed, for example, that Britain lay quite close to the northern coast of Spain,<sup>4</sup> and he places Saguntum on the northern bank of the Iberus.<sup>5</sup> Writers like him do best when they copy from others without thinking. Hence he is most correct when he thoughtlessly copies his authorities; but such compilers should not presume to give a condensed abridgment of the works of others. Of the whole work we possess only eleven books complete, viz. VI. Ἰβηρικὴ; VII. Ἀντιβακική; VIII. Λιβυκή; XI. Συριακὴ καὶ Παρθική; XII. Μιθριδάτειος; XIII. — XVII. Ἐμφύλια; and XXIII. Δακικὴ or Ἰλλυρικὴ. But what we possess under the name of Παρθική, as a part of the eleventh book, is spurious, as has been shown most satisfactorily by Schweighäuser.<sup>6</sup> Of the Ἰλλυρικὴ, at first only some fragments were published; the whole of it appeared for the first time complete in the edition of Tollius. Of the remaining books we have the

"Eclogae De Legationibus," and "De Virtutibus et Vitiis," which have been put together by Ursinus and Valesius. The account of the Illyrian war yet awaits an able commentator, as Spaletti refused to allow Schweighäuser to make use of his collation. Excellent materials for a critical examination of the text of Appian are contained in the Latin translation made in 1472, by Petrus Candidus, at the command of the learned Pope Sixtus IV.; the Latin is barbarous, but the translation is faithful, and Schweighäuser has made good use of it. There are only three editions of Appian worth mentioning: the first by H. Stephens, the second by Tollius, and the third by Schweighäuser.

About eighty years after Appian, Dion Cassius, surnamed Cocceianus, wrote his work. He was born at Nicaea in Bithynia, in the reign of Antoninus Pius, and belonged to a family which was in possession of the Roman franchise, and stood very high. His father held most important offices; and it has been supposed, with great probability, that the ingenious orator, Dion Chrysostom, was his grandfather on his mother's side.<sup>7</sup> He came to Rome as a young man, at a period when it was already common for the provincials of the East to obtain the highest offices, a distinction which had been enjoyed by those of the West at a much earlier time. The latter soon accommodated themselves to the Romans in language and dress; but the former did not submit to this necessity till later. In the eastern provinces men let their beards grow, as we see from the portrait of the sculptor Apollodorus, on the column of Trajan, the most ancient portrait of an artist. From the time of Hadrian, the Greeks were received at Rome very differently from what they had been before, as that emperor favoured them, and his example was followed by the Antonines. M. Aurelius even gave one of his daughters in marriage to a Greek of the name of Pompeianus.

<sup>3</sup> Comp. vol. ii. p. 512, foll; vol. iii. p. 212, notes 353, 842 and 872.

<sup>4</sup> *De Reb. Hisp.* c. 1.

<sup>5</sup> *De Reb. Hisp.* c. 7 and 10.

<sup>6</sup> In his edition of Appian, vol. iii. p. 905, foll.

<sup>7</sup> Reimar, *De vita et scriptis Dionis*, § 3.

At Rome Dion spent forty years, engaged in active business, and afterwards withdrew to Capua. It was not till he had reached the age of about forty, that he wrote a history of the reign of Commodus, which he dedicated to the emperor Severus, who received the work favorably, and encouraged him to write a complete history of Rome. If dreams stimulated him, as he himself says, to write the history of the Roman empire, they were certainly sent by good spirits, for he had a real vocation as an historian. He was raised to the consulship under Septimius Severus, and a second time under Alexander Severus, A.D. 229. He spent twelve years in collecting materials for his work, and ten more in composing it. If his statement is correct, the last books must have been a continuation of his work. According to the judicious calculation of J. A. Fabricius, Dion must have been about seventy years old when he obtained his second consulship, and he probably lived to the age of nearly eighty. Being a statesman, he paid attention to many things which his predecessors had been unconcerned about. He must have been a perfect master of the Latian language; for he resided at Rome as a senator during a period of from thirty to forty years. He felt an interest in, and made himself thoroughly acquainted with, the political history of Rome, a thing which no rhetorician ever did. Livy, for instance, has no idea either of a state, or of tactics, and when, as in the eighth chapter of the eighth book, he speaks of battles, it is evident that he has no conception of the most ordinary rules of drawing up the legions in battle array: he had perhaps never seen a legion going through its exercises, and hence the arrangement which he describes is utterly impossible.<sup>8</sup> Dion, on the other hand, finds himself at home everywhere, in constitutional matters and the civil law, as well as in tactics.

He did not acquiesce in the information he gathered from Livy: he went to the sources themselves; he wrote

the early period of Roman history quite independently of his predecessors, and only took Fabius for his guide.<sup>9</sup> The early constitution was perfectly clear to him, and when he speaks of it, he is very careful in his expressions. He has been accused of *κακοήθεια* and *ἐπιχαιρεκακία* in those parts of his work where he exposes the false pretensions of certain persons to political virtue; and it cannot indeed be denied that he was influenced by bitter feelings against feigned pretensions to virtue in a thoroughly corrupt age; but when in going through the history of the so-called English patriots in the reigns of George I. and George II., we hear their claims to patriotism, and afterwards learn how they hunt after and intrigue for offices; how, notwithstanding their loud assurances of their noble sentiments, they keep up a secret correspondence with the Pretender, and that when they obtain power they act just in the same manner as their predecessors, we see a state of things analogous to that of Rome in the time of Dion Cassius; and we cannot wonder at his speaking with indignation of such patriots, whose reputation was acquired by fraud and hypocrisy. Similar feelings existed in France, in the time of Louis XV. The case would be different if he showed a diabolical delight in proving that virtue did not exist; but when a man drags the mask from a villain, he does what is right; and this is all that Dion Cassius does. I believe indeed that he mistrusted many a man's sincerity, and judged harshly of him in consequence; but at the bottom of all this, there lies a view of human life, bitter indeed, yet sound; and amidst the corruption of his age he could not judge otherwise.<sup>10</sup> He was no friend of tyranny, as every page of his history shows if read with an unbiassed mind; but a man who, in such circumstances, insists upon destroying by force that which is wrong, only wastes his own strength.

<sup>9</sup> Compare vol. ii. p. 12, vol. iii. p. 426: *Lebensnachrichten über B. G. Niebuhr*, iii. p. 187.

<sup>10</sup> Compare vol. iii. note 846.

<sup>8</sup> Compare vol. iii. p. 98, foll.

What places Dion in a less advantageous light, is his style, which is neither eloquent nor beautiful. His language is full of peculiarities, some of which are real faults, and shew the degenerate state of the language. Examples of this may be seen in the Index of Reimarus. Dion wrote the vulgar Greek just as it was spoken at the time; and there is in him no affectation or elegance acquired artificially, as is the case with Pausanias. Hence the study of his language is very instructive. His history was, for a long time, very much read, and was a common source of information concerning the history of Rome. It was continued by an anonymous writer, as we know from the *Excerpta de Legationibus*, and carried down to the time of Constantine. Dion himself divided his work into eighty books and into decads. In the twelfth century of our era, when Zonaras wrote, there existed only the first twenty books, and from the thirty-sixth book to the end. In the tenth century, when Constantinus Porphyrogenitus ordered *excerpta* to be made from it, the whole work was still extant. In the eleventh century, a monk, of the name of Joannes Xiphilinus, made extracts from the latter portion of the work, from the thirty-sixth to the eightieth book, except that part containing the history of Antoninus Pius, and a portion of that of M. Aurelius. Whether Xiphilinus was not in possession of the first twenty books, or whether he merely passed them over, I cannot say; but I suspect that they did exist in the imperial library, as Zonaras, fifty years later, still used them; whence it is wrong to say that Xiphilinus is the cause of the loss of Dion's books. His MS. containing the history of Augustus, Tiberius, and Claudius, was complete; whereas, at present, the Venetian MS. of that part is full of gaps. The very late author of the *Lexicon Syntacticum*, edited by Bekker, probably had not seen the first thirty-five books, as he gives scarcely any extracts from them. We possess a fragment, which is believed to belong to the thirty-fifth book; but, according to Reimarus, it

is in all probability a part of the thirty-sixth. The portion which we find complete, is from the thirty-seventh to the fifty-fourth book. The fifty-fifth and fifty-sixth books are mutilated, and those from fifty-seven to sixty still more so, and are full of gaps. Of the first twenty books, we have the abridgment made by Zonaras, probably with additions derived from Plutarch; and of the books from the thirty-sixth to the eightieth, that of Xiphilinus, likewise mixed with other authorities; he had a complete copy of books fifty-five to sixty. Besides these, there are considerable fragments of the seventy-eighth, seventy-ninth, and eightieth books, in the Vatican library. The first of these fragments was published by Fulvius Ursinus, from a very old manuscript, which cannot have been made later than the eighth century. It is written in three columns, but is in such a mutilated state, that only the middle column is legible. Many other fragments are preserved in the *Excerpta* of Constantinus Porphyrogenitus, "*De Legationibus*," "*De Virtutibus et Vitiis*," and "*De Sententiis*," and also a number of scattered fragments. It is surprising that Zonaras has not, like Xiphilinus, been printed in Reimarus' edition of Dion Cassius. Zonaras<sup>11</sup> was a practical man, and lived under Alexius Comnenus and Calojoannes Comnenus. He wrote a history from the creation of the world down to the death of Alexius Comnenus. The first part is made up of extracts from Josephus; the second contains the history of Rome from Dion Cassius; and the third was compiled from several authors, especially Cedrenus, Scylitzes, and others; the later books of Dion he could not procure, although he took some trouble to do so. He was private secretary to the emperor, and commander of the imperial guards. His own judgment is extremely feeble; but still he is not a fool like many others:

<sup>11</sup> Zonaras is a modern Greek name, and must therefore be pronounced Zónaras, not Zonáras; it is altogether wrong to pronounce the modern names according to the ancient Greek fashion.—N.



he is a sensible and learned man, but with limited intellectual powers. His extracts from Dion Cassius, though he does not name him as his authority, are of immense importance; he copied very faithfully, and especially in writing the history of times in which one might expect to find him in the greatest perplexities. But his extracts have been very little used; Freinsheim is almost the only man who availed himself of them for the periods on which the history of Livy is lost, and I was the first to draw attention to the importance of Zonaras. The *Excerpta de Sententiis* especially shew

how accurately he copied from Dion.<sup>12</sup>

<sup>12</sup> In the early part of the history of Rome, Zonaras borrowed not only from Dion, but also from some lives of Plutarch, such as those of Romulus, Numa, Valerius Publicola; and it is probably this circumstance which led a singular Italian writer, Nicolaus Carminius Falco, to make the foolish assertion, that Dion had copied his history from Plutarch, and that the rest was founded on Zonaras! With this view of the matter, he made an announcement that he was going to publish a restoration of Dion Cassius. His ignorance was so great that in his announcement he wrote *Βιβλία ἑξήκοντα*, instead of *βιβλία ὀγδοήκοντα*.—N. (The first volume was actually published at Naples, 1747, fol.)

## LECTURE X.

THE Abbé Morelli, an excellent philologist, and one of the most amiable and most learned men of the eighteenth century, while seeking to console himself for the fall of Venice in the year 1797, discovered in its library a manuscript of Dion Cassius, which had originally been complete, but through various circumstances had suffered the greatest mutilations. This manuscript was the mother-manuscript for the books from fifty-five to sixty. There are many gaps in it which are not indicated by any marks; but all is written continuously as if nothing were wanting. This kind of deception on the part of Greek copyists who lived by their art, was not uncommon in the fifteenth century. Morelli collected these defective passages; from which we see that entire pages, or even quaternions are sometimes wanting. Through his discovery, we first became acquainted with the memorable expedition of Ahenobarbus to Germany, which had, until then, been unknown. It has not yet been noticed that in two books of Diodorus, one half is wanting in the manuscripts; in one instance a great part of the middle of a book is left out, as has been pointed out by Perizonius and others; but it is not always

possible to point out the exact places in which these gaps exist; for such omissions are sometimes made so cleverly and cunningly, as to render it a matter of the greatest difficulty to hit upon the spot where they occur. Sometimes, however, copyists were more careless; they broke off in one passage and connected another with it in such a manner, that there was absolutely no sense in the passage thus made up; but then they knew that books were not always bought with a serious intention to read them.<sup>1</sup>

About the editions of Dion Cassius I shall say but little: the best are, that of R. Stephens, the Basle edition (1558), and that of Fabricius and Reimar. The text still requires a good deal of correction; and a comparison of the Venetian manuscript, of which Sturz in his edition (1824) has made, I believe, no use, would be extremely important. The remarks of Fabricius and Reimar are of extraordinary historical value; but show little grammatical knowledge of the language. We must own that Fabri-

<sup>1</sup> The new fragments which Morelli discovered were published by him at Bassano, 1798, 8vo., and a reprint of them appeared at Leipzig, in 1818, 8vo.



cius was not a great philologer ; and Reimarus, his son-in-law, though in other respects a man who deserves great admiration, was even inferior to him. The accentuation is horrible ; but, although deficient in philological learning, Reimarus devoted himself with so much attention to the formation of the Greek index, that it is one of the most excellent we possess. He who wishes to study Dion Cassius, should read this index first. It was made, I believe, after the whole work was completed. Had Reimarus made the index before the completion of the work, his grammatical notes would have been of a different kind.<sup>2</sup>

After the time of Dion Cassius, the Greeks as well as the Romans confined themselves to making excerpts and compilations. The great works were neglected and lost in the middle ages ; and although the first and third decads of Livy were read in schools for the *proveciores*, still as far as the study of the history of Rome is concerned, people were satisfied with Florus, Eutropius, Rufus, Victor and Orosius, whose sketches were, generally speaking, considered as the sources of Roman history, and were multiplied in innumerable copies down to the time of the revival of letters. Eutropius was even continued by Paul Warnefried and Sagar. Valerius Maximus also was much read as a collection of accounts of noble actions, though otherwise he is one of the most wretched authors. But although, after the fall of the western empire, there were yet some men at Rome and Ravenna who collected and read the old manuscripts which had escaped the destruction of the barbarians, still there were throughout the middle ages no general views, no idea of symmetry, and no striving after anything which did not present itself at once ; people were satisfied with what was well

known, and this they treated with care, but they were unconcerned about that which was not known. These facts account for all the frailties of the middle ages. Had not the glossatores been in the same predicament, they might have obtained very different sources, from which they might have explained the laws of Justinian just as well as we do. I venture to assert, that no direct quotations from Livy are to be found after the time of Priscian, not even from those books of Livy which have come down to our time. Johannes Sarisberiensis alone forms an exception, but even he refers only to the books which are still extant. Those books of Livy which are now lost were probably never read by any one during the whole of the middle ages, except perhaps by some grammarians in Italy. In the fourteenth century, however, a new zeal arose among the Italians, and people again began to read Livy, as we see from a singular story of Francesco Sacchetti, which states that an eccentric citizen of Florence, who was engaged in building a house, was, on Saturday, at the time when his workmen came to receive their wages, so deeply absorbed in reading Livy's account of Cato, that he did not at once attend to them. While they were waiting, they began to quarrel with one another ; on hearing which he hastened out, and inveighed against them as if they had been partizans of the Roman tribunes. Petrarch read the history of the second Punic war in Livy, and the Commentaries of Cæsar, with a zeal and a passion with which they had certainly not been read since the days of the great Boëthius, *i. e.* for a period of 800 years. He in vain desired to have more of Livy ; it was perhaps he that discovered the Epitome. This zeal gradually dispelled the darkness and barbarism of the age. Few centuries can boast of a greater genius than St. Bernard ; but he had not been able to effect anything against the reigning spirit of barbarism. In the fourteenth century, the Italians began to look upon themselves with pride as the direct descendants and

<sup>2</sup> Philological indices are extremely useful to a scholar, and they enhance the value of an edition considerably. He who makes a philological index, is led to the consideration of an infinite number of questions and points, of which he would otherwise never have thought.—N.

heirs of the ancient Romans.<sup>3</sup> Ancient manuscripts were eagerly collected; and he who was so lucky as to find an author yet unknown or a fragment of another, was held in high estimation. The letters addressed to Poggius on this subject are really moving: he is zealous and anxious to make discoveries, and his contemporaries, such as Leonardus Aretinus, Bartholomaeus and others, felt the greatest delight in receiving copies of his books. Roman history was then read with incredible interest, but all kept to what was transmitted to them; a few only ventured to make some critical observations here and there, and began to see that it was impossible to understand Roman history with the means they had at their command. Thus originated the study of archaeology, which received a great impulse from Pomponius Laetus, who, however, spoiled much, because he treated his subjects too carelessly. At the beginning of the sixteenth century, the study of Roman antiquities made rapid progress; collections of inscriptions and ancient monuments were made in Italy and France, first by Mazocchi and some others. In Italy, scholars applied with the same zeal to the study of ancient jurisprudence, which, strange to say, did not flourish there, although the interpretation of the Roman law proceeded thence. Learned jurisprudence was then in the hands of the French, while the Italians devoted themselves to history and the critical examination of ancient authors for that purpose. Some began to make historical observations here and there. Glareanus, a man of strange character, but of refined judgment and great intellect, was the first who looked at Livy as an independent investigator. Sigonius, a layman of Modena, and Panvinus, an Augustin monk of Verona, acquired considerable reputation by an arrangement of the *Fasti*, and by their writings on Roman antiquities, in which field their merit is indescribable and their progress gigantic. They dwelt especially upon

the age of Cicero and Caesar, for which contemporary writers furnish abundant materials; but they did not penetrate into the earliest periods of Roman history: they cultivated the tree but neglected the root. Both, though Panvinus more particularly, were but slightly acquainted with Greek literature, and their knowledge of Greek life was very imperfect. Archaeological and antiquarian knowledge was advanced by them in a brilliant manner; and the *Fasti* in particular are much indebted to Panvinus;<sup>4</sup> but they were deficient in practical knowledge: the living organism of a state was unknown to them, although in numerous respects they might have found their way more easily than foreigners, as many things still existed under their ancient names; but they did not perceive things clearly defined, and generally went wrong in their explanation of details. Panvinus' *Fasti* are a splendid work, and his supplements to them deserve admiration considering his resources. It was a piece of good fortune for him that fragments of the Capitoline *Fasti*, which yielded many results, were found during the building of a church. Several pieces also have been discovered in my own presence, from which useful hints may be derived in relation to times for which Livy is lost.

The *Fasti* have come down to us in several separate collections, and even for periods in which we are without Livy's guidance.

About the close of the sixteenth century Stephanus Pighius, of Campen in Overysse,<sup>5</sup> a man of great learning, first conceived the idea of restoring the history of Rome in the form of annals; his object being not merely to produce a supplement for the lost portion of

<sup>4</sup> See vol. ii. page 559, note 1239.

<sup>5</sup> He was secretary to Cardinal Granvella, and afterwards lived as a priest at Xanten on the Rhine, but he had spent many years in Italy. His commentary on Valerius Maximus, and his *Hercules Prodicus*, are highly respectable performances. The country of the lower Rhine had at that time several excellent scholars, such as Fr. Fabricius.—N.

<sup>3</sup> Compare vol. i. Pref. p. xxi.

Livy, but to subject the history of Livy himself to a critical examination. But the idea of his annals is a mistake. He dwells upon things of secondary importance. If the Fasti were preserved complete, they would be important only in so far as we might see, for instance, when the distinction between the patrician and plebeian aediles ceased to be observed, and in so far as we might form conclusions as to the age and life of certain persons from the time of their consulship or praetorship. When a young man, I endeavoured to learn the consular Fasti by heart, and I believe that Roman youths did frequently so learn them. Many Romans of good memory were able, for example, to state the year of the consulship of Scaevola and Crassus, or of other men, at any time. This would have been a useful exercise for a memory like that of a Scaliger or a Muretus. Pighius, of course, wished to restore the Fasti for the times for which they were lost; this he did as far as possible by collecting the scattered statements of the ancient writers; but where he had no authorities, he made up the Fasti of what seemed possible or probable to him, according to the *leges annales*. For example, when he wants a tribune of the people, he puts in the name of some plebeian quite at random, and without any reason whatever; when he wants the name of an aedile, he takes the name of one whom he knows to have been consul afterwards; and in this manner he makes out whole lists of tribunes, aediles, etc.<sup>6</sup> It was not, however, his intention to deceive, for he marked his supplements as such. This has been so little heeded that, until recently, there have been scholars who took the Fasti of Pighius for authentic records. G. J. Vossius transcribed many things on no authority except that of Pighius; and Professor Schubert of Königsberg, in his work on the Roman aediles, has introduced names of aediles which are simply copied from Pighius: but notwithstanding all this,

he who writes on Roman history cannot dispense with the work of Pighius. He used inscriptions, and also made many ingenious combinations; it has often led me to the discovery, that combinations which I myself had made were wrong. Pighius died before he had completed his task, and the learned Jesuit, Andreas Schottus, of Antwerp, published the work with a continuation by himself, which is far inferior to what Pighius had written.

An account of the treatment of Roman history gives us a picture of the course of philology in general: in the fifteenth century it was scarcely awakened and uncritical; in the sixteenth, people penetrated rapidly and deeply into the spirit of antiquity, but without entirely securing the results. The fair period of philology, however, disappears about the beginning of the seventeenth century; and in Germany, where it had sprung up rather late, it was crushed by the Thirty years' war. It was combined with other studies: diligent and laborious works were produced, but they were without genius, and their philological substance was small. The school of Strasburg, however, still maintained its reputation. Towards the end of the Thirty years' war, John Freinsheim of Strasburg wrote his Supplements to the work of Livy.<sup>7</sup> This bold undertaking is executed very unequally.<sup>8</sup> As far as single facts are concerned, he left little unnoticed: but in a thorough comprehension of these ages, and in the arrangement of the materials relating to them he is deficient. He had no idea of the Roman state in either its military or its civil affairs, though he was rather proud of his *prudencia civilis*. For the second decad, especially from the eleventh book to the fifteenth, and also for the books from forty-six to sixty, he had tolerably complete materials, and made vigorous and good use of them, whence those parts are more

<sup>6</sup> Compare vol. ii. p. 559, and notes 1238 and 1297.

<sup>7</sup> The references in the original edition are printed very incorrectly, and the reprint in Drakenborch's edition of Livy is still worse, or at least just as bad as the original edition.—N.

<sup>8</sup> Compare vol. iii. note 847.

successful than the later books ; but, as he advanced, he became more and more careless, and from the time of the Social war, the work is altogether wretched. It is, however, notwithstanding this, indispensable for him who studies Roman history. Although Freinsheim was not a first-rate philologist, yet he and his countrymen, Boecler and Obrecht, are ornaments of Germany in those times. That he did not complete such a gigantic undertaking in an equal manner is pardonable enough ; but the pretension to replace Livy is altogether a mistake peculiar to the age in which Freinsheim lived. After him, Livy was for a long time neglected.

About twenty years after Freinsheim, quite a different man began to write a work on Roman history, which is thoroughly classical ; this was J. Perizonius' *Animadversiones Historicae*. He undertook a criticism of Roman history, or rather of some portions of it ; but what he did do, is masterly in substance, and excellent in form. It was he who first conceived the fruitful idea that the history of Rome, like that of the Jewish nation, had arisen out of poetical lays ; an idea which we cannot admire enough, if we consider the time at which Perizonius lived ; and especially if we remember that he was a Dutchman, for such national lays do not exist at all in the Netherlands. A Dane might much more easily have hit upon the thought, as Saxo Grammaticus, and the lays of the Edda would naturally lead to it. Perizonius had a mind free from prejudice, and possessed incredible philological learning and a truly historical genius. His *animadversiones*, however, have not exercised that influence which they ought to have had : they were only once reprinted, and then forgotten.

After the year 1684, scarcely anything was done for Roman history in a philological point of view. Bentley and J. M. Gessner are almost the only distinguished scholars who arose during that sad condition of philology in the first half of the eighteenth century. Meantime a general intellectual culture began to spread more and more in

Europe, which could not but exercise its influence upon the history of antiquity, as a part of universal history ; and thus men, without possessing any profound philological knowledge, began to occupy themselves with ancient history. One result of this was the little work of president Montesquieu, "*Sur les causes de la grandeur des Romains, et de leur décadence*," which, notwithstanding many misapprehensions, is an excellent book.

At the end of the seventeenth century, scepticism began to raise its head in Europe. It began with Bayle, and also laid hold of history : Bayle did not, however, aim at arriving at any well-established results, but was satisfied with pointing out the errors, in what until then had been regarded as historical. M. de Beaufort, a refugee, who had lived for a long time in England, and possessed a very intelligent mind, wrote on Roman history in this spirit. His work on Roman antiquities, however much there may be in it that deserves censure, is as a whole the best that has been written on the subject. He was convinced that the early history of Rome was mere poetry ; and this conviction he expounded in his "*Dissertation sur l'Incertitude des quatre premiers Siècles de l'Histoire Romaine* ;" which bears the impress of a well-read man of genius, who is not a philosopher, nor accustomed to strict critical investigation ; but it displays that spirit of scepticism which only destroys without reconstructing ; whence it met with great opposition. Notwithstanding this, however, it has been of service ; and all that was written afterwards, was founded upon it.

The work which the good and worthy Rollin wrote from Livy, and the Supplements of Freinsheim, can scarcely be called a Roman history. But all that Rollin ever wrote is pervaded by such a noble and virtuous spirit, notwithstanding his want of judgment, that the French were perfectly right in putting his works into the hands of the young. His history of Rome is written in a readable and pleasing form ; but no one in our days



can have the patience to go through it. Rollin was deficient in learning, although he was not exactly unlearned; but he wrote uncritically, and was ignorant of the spirit of Roman history, which, on the whole, was written in those days as if its events had in reality never taken place.

Somewhat later than Rollin, Hooke,<sup>9</sup> an Englishman, wrote a Roman history with which I am but little acquainted. The book is not much known in Germany, and does not even exist in our university-library. All I can say about him is that he followed the views of Beaufort, and wrote a history of those times only in which he believed it to deserve credit. He does not enter into any of the deeper questions. Still less so does Ferguson, whose history of the Roman republic is a complete failure: he is an honest and ingenious writer, but unlearned; he was no scholar, and had not the remotest idea of the Roman constitution. His history does not really begin until the time of the Gracchi, when the accounts become more detailed. He wrote pragmatically and with a moral tendency. To those who want to acquire a knowledge of Roman history, the

book is worth nothing. He who is not a scholar, may read it in order to prepare himself for a better understanding of the times of Cicero; but he will certainly do better to read Middleton's life of Cicero. The history of Rome written by Levesque is perfectly wretched: he quite agrees with Beaufort, that the whole of the early history consists of fables. From the period extending from the origin of Rome down to the first Punic war, he picks out only some isolated events, which he treats as historical; and this he does at random without giving any reasons, either to himself or to his readers. The book itself, as well as the spirit in which it is written, is bad. Micali's work, "*Italia avanti il dominio de' Romani*," is likewise a bad book. He was an unlearned man and biassed by a strange and passionate hatred of the ancient Romans; he makes up visionary histories of the Italian nations with the greatest levity. His hatred of the Romans is often quite unbearable. He wrote at the time of the French dominion in Italy, and rejoiced to have an opportunity of saying a variety of things against the supremacy of one nation over others; but he allowed himself to be led thereby into unreasonable zeal and unfairness towards the Romans.

<sup>9</sup> Compare vol. ii. note 204.

## LECTURE XI.

THE general tendency of philology in Germany necessarily led to a critical and searching treatment of the history of Rome. After many and very fluctuating periods, German philology has acquired, within the last forty years, a decided and definite character: just as certain arts or sciences arrive at a flourishing state, without its being at all possible for us to trace them back to one particular starting point. Philology has been developed simultaneously by several minds which worked independently of one another. It was the character of the age, and the result

of the whole development of our literature. Men like Lessing, who had eminent philological talents without possessing all the requisites of a philologist, and Winkelman, may be said to be the real fathers of modern philology: the great movement of the time originated with them. In like manner, the efforts of Heyne and Ernesti, though they were imperfect, the revival of historical jurisprudence, the grammatical studies of Reiz, Wolf, Hermann, and the translations by Voss and others, contributed towards a critical study of Roman



history. It is wonderful to see how very deficient the first attempts at better things often are, before a clear view of the object is gained. So it was with jurisprudence. During a long period before Savigny wrote, the attempts were of such a character, that if the great men of former ages, such as Cujaci<sup>us</sup>, Duare<sup>nus</sup>, and Donell<sup>us</sup>, could have heard their successors, they would have been greatly disappointed and dissatisfied. The modern much more profound inquiries, also, could not always hit at once upon the truth, before the ways were fully cleared up. The mind was awakened, the language had been cultivated by Lessing and Goethe, time with its vast changes and revolutions diffused a general life, and a spirit of activity manifested itself everywhere. All this necessarily led to a fresh consideration of Roman history, especially as political institutions began to resemble those of the ancient Romans. It was especially this latter point that directed my attention to the living organism of the Roman state, and led me to the investigation of the causes of the vehement struggles recorded in Roman history. The consequence is, that that history is now no longer treated sceptically but critically; results have been gained to supply the place of fiction, and it has been shown what must be believed, and what must be rejected as fiction or forgery. We have, moreover, gained the conviction as to what must be believed in the early history of Rome in general, without venturing upon the fruitless attempts to explain everything in detail with chronological accuracy. These investigations in that immense labyrinth, connected as they are with ancient times, could not be successful all at once; whoever undertook them, was biassed by many prejudices, and though he saw the goal, yet he naturally strayed on his road. It had thus become necessary not only faithfully and conscientiously to acquiesce in what had been discovered, but to take courage and try to solve the mysteries.

With regard to the ancients, it is

my conviction that, on the whole, all information on matters of importance, as far as it is obtainable, has been obtained, and that it is time to abandon such investigations. It would be very unfortunate, if they continued to be the order of the day; not that I am afraid lest it should be possible to overturn the results to which the investigations concerning the institutions and constitutions of Rome have led us: they are as certain as if we had derived them directly from the original sources themselves. It is with ancient history as it was with the king who had forgotten his dream: we must not merely interpret what the ancients read, but re-discover what they read; and this may be done with confidence and success. But as our sources are limited in number, and as these sources have been completed by the results of investigation, there is nothing further that could be wished for, until better sources are discovered. There are other points also, concerning which further investigations cannot possibly be made. I entertain no fear of the results of my enquiries being ever overthrown: all that is still to be gained is of secondary importance, and there is nothing in the ancient sources which has not been found out already. To overthrow the results at which we have arrived, and ever and anon to make the same investigations over again, is an evil: we must make use of what has been gained. I wish that more attention was paid to the later times, for these are of such a nature that new discoveries may be made at every step: but in order to acquire a thorough knowledge of them, one must be well acquainted with the earlier forms and their changes; we must not believe that Roman history ceases to have any interest, where we have contemporary authorities, and that only those parts are interesting which must be made up by conjectures and combination. The history of Rome down to the end of the empire is one whole, which begins from the darkest ages, the sources of which are distorted and perverted, since we have

them only at the third or fourth hand ; but their history may be restored by combination, comparison, and analogy ; and Fabius, Gracchanus, and Macer must form the pillars of it. Scepticism here leads to nothing, and is highly injurious to the human mind. After these dark ages we come to the time where we have the statements of well-informed writers. The remaining part of Roman history from the time when it becomes historical, must likewise be investigated in order to obtain definite results ; and when they are gained, we shall have to examine them calmly, and to make use of them.

The study of ancient history requires for its basis a sound and profound philological knowledge, and a ready grammatical tact, to serve as a guard against groundless and fanciful etymologies ; a well-developed and matured judgment to distinguish between what is only possible or probable, and evident truth—a knowledge of human and political affairs, of social relations in general, and of occurrences which have taken place at different times and in different nations, according to the same or similar laws—but, above all things, *conscientiousness* and *candour*. We have to bear in mind what was said after the revival of letters by men of all creeds, that learning is the fruit of piety, in order that, by the sincerity of our hearts, by knowledge of ourselves, and by a conscientious walk in the sight of God, we may guard ourselves against the desire to appear what we are not, that we may never forgive ourselves the slightest deviation from the truth, and that we may never consider a result of our investigations which flatters our wishes as truth, so long as there is in our conscience the slightest feeling of its being wrong. But this is not the place to discuss these preparatory requirements of the student of history ; they belong to a higher science which teaches us how to learn and to cultivate our minds, though they find a direct application in all historical matters, as veracity is but too often set aside, and appearance is all that is aimed at. Hypotheses

which flatter the author or have a brilliant appearance are set forth as truths ; and how many instances might not be mentioned in which writers have stolen the ideas of others, and given them to the world as their own, in order to shine with them ! This practice is unfortunately carried on in all its variations, from the most secret and hidden plagiarism to the most manifest robberies : for when conscience is once seduced, it knows of no scruples. But the sin is always essentially the same. The ancients exhort us to be conscientious, and we ought to follow their counsel ; we must feel that the reputation of past ages depends upon us, and that we commit a crime, if we impair that reputation by giving praise or censure where it is not deserved.

Every one must see that our own personal views and opinions can be of little avail in history, if they are not in accordance with things and relations which really existed. Hence we must have an accurate knowledge of the nature of the countries whose history we are studying, of the internal condition of a nation, of its political constitution, its religion, etc. If, therefore, Roman antiquities should at any future time be written and worked out into a definite and independent science, they must, like ancient geography, serve as an introduction to the study of Roman history. The earlier works on Antiquities contain much that is excellent in regard to those times for which we have contemporary authorities ; the modern ones are very indifferent. As regards ancient geography, we still want a good chorography of ancient Italy. The work of Mannert can be recommended only with very great restrictions. Notwithstanding all that we may find fault with in the detail of the works of Cluverius, his "*Italia Antiqua*," and his "*Sicilia, Sardinia, et Corsica Antiqua*," are gigantic productions and excellent in the highest degree. But copies of them are so scarce and costly, that I can hardly consider them as works to refer you to. If we examine them from the point of view from which Cluverius worked, we shall find little to add to

what he has written. What he says about the earliest nations of Italy, and his generalisations, are the weakest parts of the book; but the nature of the countries, if we make some allowance for the time in which he lived, is described in the most admirable manner.

The only map which I can recommend is that of D'Anville, though I do not mean to say that there are no faults at all in it. D'Anville was a genius who knew how to make use of everything, and who possessed the sagacity to discover very soon whether the statements he had before him deserved credit or not. Proofs of this may be seen in his works on modern geography; for instance, in his geography of Africa, where he has achieved wonderful things, although he had only few more resources than his predecessors. It is with him as with a talented artist, who produces greater effects by a simple apparatus than others with the most abundant materials. All the improvements in the instruments of sculptors have not enabled them to produce anything so perfect as the works of the Greeks, whose instruments were far more simple than ours. The maps of D'Anville are excellent, though some points might be made more exact; and those of Gaul, Spain, and Britain, cannot be surpassed in correctness. That of Greece is less perfect, especially Epirus and Macedonia; for there were at the time no maps except the bad Venetian ones, of which D'Anville himself complains, and the interior of the country was never visited by travellers. As regards the outlines of Greece, it is remarkable that D'Anville drew those of Peloponnesus from the Portolane maps, and some maps of the Mediterranean. Barbié du Bocage, his pupil, was a talented man, but he was in an unfavourable position, as he had a predecessor of such extraordinary genius. He remarked, for instance, that D'Anville had placed Patras thirty minutes too far north: but his discovery met with no favour, and he was obliged, twenty years later, to retract his observation, although it was correct. The

only fault of any importance in D'Anville's map of Italy is in the south-east of Naples, where the country of the Sallentines is about twenty minutes further east than the site assigned to it by D'Anville. He had no other maps than the Venetian ones, in which the outlines of the coast are generally very exact; but the longitudes are mostly incorrect. If we compare his maps with those of his predecessors, such as Delisle, and others, we cannot sufficiently admire his genius, which produced quite a new creation; not that it had been his desire to find fault with previous productions, but he could not help discovering where his predecessors had worked hastily or carelessly. His map of Egypt is an extraordinary production, if we consider that he had no materials for it but the rude drawings of Arabian and Turkish maps. All that may be said against D'Anville's map of Italy refers to an imperfection which is only apparent, that it represents the state of the country only at one particular time. He made his division of Italy as it was in the time of Augustus, and refers all political relations to this time, unless he expressly marks out two distinct divisions, as he does in the case of Gaul. His division of Italy, it is true, places him in contradiction with other divisions; but we must be on our guard, if we should feel inclined to censure him for it. According to Livy, Samnium, for instance, comprises a large district which D'Anville makes a part of Apulia, because he represents Italy according to the description of Pliny.<sup>1</sup>

I must caution you against the maps of Reichard.<sup>2</sup> His map of Italy costs about six shillings, and none can be worse. He is quite an ignorant man,

<sup>1</sup> The reprint of D'Anville's Atlas published by Weigel at Nürnberg (1781—85) is beautiful and cheap. At Düsseldorf a School-Atlas has been published (1820, and a second edition in 1825), which gives the maps of D'Anville on a small scale. It is correct, and costs a mere nothing.—N.

<sup>2</sup> The Atlas of Christ. Theoph. Reichard, of which Niebuhr here speaks, is entitled "*Orbis terrarum antiquus*." It was published at Nürnberg, 1818—27, and consists of fifteen maps in folio,

and has no idea of ancient geography. Places which never existed are marked in his map as towns of great importance. In the Roman Itineraries, the post-stages are mentioned, which were not towns, but merely points at which horses were changed. Places of this kind are, for instance, Sublanuvium and Subaricia (both places were situated on hills), which Reichard metamorphoses into large towns. A point at which a road branched out into two, was called *ad bivium*, and of this Reichard makes a considerable town, Ad Bivium, of the size of Praeneste, in Latium; Aquila, a town founded in the middle ages, bears a Roman name, and is therefore forthwith represented as an ancient Sabine town. Some places mentioned by Roman writers as belonging to the immediate neighbourhood of Rome, such as Politorium, Medullia, and Tellene, which were conquered by the Romans, and of which we can only conjecture in what direction they lay, are placed by Reichard at random, and on spots where they cannot have existed—a just

punishment for falsehood. He makes the Volscians extend as far as the mouth of the Tiber, although no Roman author mentions that their territory extended farther than Antium. Numberless faults of this kind might be collected; but I have not been able to overcome the disgust which prevented my going through the whole. Reichard's atlas owes the favourable reception it has met with, only to the beauty with which the maps are executed, and to the audacity of its author. We must confess, that in geography, properly so called, we have no one who can be compared with D'Anville. My father, who was certainly a competent judge in these matters, entertained the most sincere admiration for him. Major Rennell was a great man; but he did not possess the unerring tact of D'Anville, and always drew middle results. Further discoveries in Africa will show, for instance, that Rennell has assigned a wrong place to Timbuctoo, although D'Anville, with fewer resources, had given it its proper place.

## LECTURE XII.

THE importance of the history of Rome is generally acknowledged, and will probably never be disputed. There may be persons who, in regard to ancient history in general, entertain fanciful opinions and underrate its value; but they will never deny the importance of Roman history. For many sciences it is indispensable as an introduction or a preparation. As long as the Roman law retains the dignified position which it now occupies, so long Roman history cannot lose its importance for the student of the law in general. A knowledge of the history of Rome, her laws and institutions, is absolutely necessary to a theologian who wishes to make himself acquainted with ecclesiastical history. There are indeed sciences which are in no such direct relation

to Roman history, and to which it cannot therefore be of the same importance; but it is important in the history of human life in general, and whoever wishes, for instance, to acquire a knowledge of the history of diseases, must be intimately acquainted with Roman history, for without it many things will remain utterly obscure to him. Its immense importance to a philologist requires no explanation. If philologists are principally occupied with Roman literature, the Roman classics in all their detail must be as familiar to them as if they were their contemporaries; and even those whose attention is chiefly engaged by the literature of the Greeks cannot dispense with Roman history, or else they will remain one-sided, and confine themselves within such narrow limits as to be un-



able to gain a free point of view. Let Greek philology be ever so much a man's real element, still he must know in what manner the Greeks ended, and what was their condition under the Roman dominion. The consequence of this necessity having never yet been duly recognised is, that the later periods of the history of Greece are still much neglected. If, on the other hand, we look at the history of a country by itself, as a science which, independently of all others, possesses sufficient intrinsic merits of its own, the history of Rome is not surpassed by that of any other country. The history of all nations of the ancient world ends in that of Rome, and that of all modern nations has grown out of that of Rome. Thus, if we compare history with history, that of Rome has the highest claims to our attention. It shows us a nation, which was in its origin small like a grain of corn : but this originally small population waxed great, transferred its character to hundreds of thousands, and became the sovereign of nations from the rising to the setting sun. The whole of western Europe adopted the language of the Romans, and its inhabitants looked upon themselves as Romans. The laws and institutions of the Romans acquired such a power and durability, that even at the present moment they still continue to maintain their influence upon millions of men. Such a development is without a parallel in the history of the world. Before this star all others fade and vanish. In addition to this, we have to consider the greatness of the individuals and their achievements, the extraordinary character of the institutions which

formed the ground-work of Rome's grandeur, and those events which in greatness surpass all others ; all this gives to Roman history importance and durability. Hence we find, that in the middle ages, when most branches of knowledge were neglected, the history of Rome, although in an imperfect form, was held in high honour. Whatever eminent men appear during the middle ages, they all show a certain knowledge of Roman history, and an ardent love of Roman literature. The revival of letters was not a little promoted by this disposition in the minds of men : it was through the medium of Roman literature that sciences were revived in Europe, and the first restorers were distinguished for their enthusiastic love of Roman history and literature. Dante and Petrarch felt as warmly for Rome as the ancient Romans did. Throughout the middle ages, Valerius Maximus was considered the most important book next to the Bible : it was the mirror of virtues, and was translated into all the languages of Europe. Rienzi, the tribune, is said to have read all the works of the ancients. At the tables of the German knights stories used to be read aloud, which alternately related the events of the Old Testament and the heroic deeds of the Romans.<sup>1</sup> This partiality for Roman history continued after the revival of letters ; and although it was often studied in an unprofitable manner, still every one had a dim notion of its surpassing importance and instructive character.

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<sup>1</sup> This book still exists at Königsberg, and is well worth being published ; its language is excellent.—N.



## LECTURE XIII.

AT the time when Fabius began to write the history of Rome, his materials consisted of the *annales pontificum*, the *fasti*, the *libri pontificum* and *augurales*, the *laudationes*, and poetical lays. Of the meagreness of these materials we have already satisfied ourselves; but what was their authenticity? They might have been not less authentic than our Merovingian and other ancient annals; nay, as the *annales pontificum* began *ab initio rerum Romanarum*, or at least from the time of Numa, they might have been very authentic; in them, as we are informed by Dionysius, the pontiffs had recorded with the utmost accuracy every year of the kingly period; and the triumphal *fasti* even mentioned the very days on which the kings had triumphed over their enemies.

But the consideration that the early history, such as it has come down to us, is impossible, must lead us to enquire whether the earliest annals are deserving of credit. Our task now is to prove that the earliest history does contain impossibilities, that it is poetical, that the very portions which are not of a poetical nature, are forgeries, and, consequently, that the history must be traced back to ancient lays and to a chronology which was invented and adapted to these lays at a later period.

The narrative concerning the primitive times given by Livy differs considerably from that of Dionysius; Livy wrote his first book without assigning the events to their particular years, and with an extraordinary want of criticism; he here evidently followed Ennius, as we may see by comparing the fragments of the poet's writings with the statements of Livy; compare, for example, Livy ii. 10 with the fragment of Ennius: *Teque pater Tiberine tu cum numine sancto*. Dionysius, attempting to make out a true history, proceeds on the supposition that the detail of Roman history can be restored, and that the historical ground-

work is only overgrown with legendary tales; he endeavours to reconstruct the former in an arbitrary manner, and inserts his pragmatistical speeches in his account of the mythical ages, whereby he often makes himself truly ridiculous. Livy, on the other hand, wrote the history such as he found it in the most ancient books and as it appeared to him the most beautiful; he gives it in its ancient form before it was artificially corrupted; and hence his narrative is the purest source for the history of those times.

The story of the miraculous conception of Romulus is an historical impossibility; although in the school of Piso it was metamorphosed into an history: the same must be said of the account of the rape of the Sabine women, whose number was thirty in the original tradition, and also of the ascension of Romulus during an eclipse of the sun.<sup>1</sup> Such also is the character of the long reign of Numa with its uninterrupted peace, and of his marriage with the goddess Egeria, which among the contemporaries of Scipio was as implicitly believed as the history of the Punic wars. The story of the combat of the Horatii and the Curiatii, who were born on the same day of two sisters, has a very ancient poetical character.<sup>2</sup> We next come to Tarquinius Priscus, who was already married to Tanaquil when he migrated to Rome in the eighth year of the reign of Ancus (which lasted twenty-three years). Tarquinius himself reigned thirty-eight years, and was at his death upwards of eighty years old, leaving behind him children under age who were educated during the forty-three years of Servius's reign, so that Tarquinius Superbus must have been at least fifty years old

<sup>1</sup> The moment at which Mars overcame Ilia was likewise marked by an eclipse of the sun.—N.

<sup>2</sup> Livy's account is already somewhat disfigured.

when he slew his father-in-law. Tanaquil lived to see this crime, and required Servius to take an oath not to resign his crown: at that time she must have been 115 years old. One of the first features in the story of Servius is that on one occasion in his infancy his head was encircled with a flame, which Dionysius attempts to explain in a natural way. Collatinus is said to have been the son of a brother of Tarquinius Priscus, and this brother, it is stated, was born previously to the migration of Tarquinius Priscus to Rome, that is, 135 years before the expulsion of Tarquinius Superbus; and Collatinus is described as being a young man thirty years old, at a time upwards of 120 years after his father's birth. Brutus is said to have been *Tribunus celerum*, which was the first place in the equestrian order, in which he represented the king, assembled the senate, and was obliged to perform the most important sacrifices; and this place the king is stated to have given to a man whom he thought to be an idiot, and whom, for this reason, he had deprived of the management of his own property! Brutus, the story goes on to say, feigned idiocy for the purpose of escaping the envy and avarice of the king. He is described as the son of a daughter of Tarquinius Priscus, and as dreading to enrage the king by taking possession of his own property:—but Tarquinius did not even belong to the same gens. At the beginning of the reign of Tarquinius Superbus, Brutus was only a child, and immediately after the king's expulsion he appears as the father of sons who have attained the age of manhood.

All these chronological points, to which many others might be added, even down to the time of Camillus, bear so much the character of absurdity and historical impossibility, that we are obviously entitled to criticise. Now let us remember the two-fold sources of the earliest history of Rome, namely, the chronological: the *fasti* and *annales pontificum*; and the unchronological: the *lays*, *laudationes*, the *libri pontificum* and *augurales*. As regards the chronological sources, in the most

ancient account, that of Fabius, we find 360 years reckoned from the building of Rome to its destruction by the Gauls, exactly the number of the  $\gamma\epsilon\mu\eta$  in Attica, which number was declared, even by the Greeks, especially by Aristotle, from whom the grammarians Pollux, Harpocration and others derived their information, to be that of the days in the solar year. But the number 360 if accurately examined will be found to be the mean number between the days of the solar and those of the lunar year, and the nearest to each that can be conveniently divided. Of this period of 360 years, the time assigned to the kings was, according to the earlier calculation, 240 years, and that to the republic 120 years. This number has as much of a mathematical character as that of the Indian ages of the world, the Babylonian and other Oriental numbers. The 120 years assigned to the republic is adopted even by those writers who calculate the whole period at 365 years. Whether 120 years be correct must be determined according to the view respecting the time at which the Capitol was consecrated. That the *annales pontificum* were destroyed in the Gallic conflagration is strongly confirmed by Claudius (undoubtedly Claudius Quadrigarius) as quoted by Plutarch, and indirectly by Livy, who could not state it directly, since he would thereby have declared the first books of his own work valueless; it is moreover confirmed by the fact, that the eclipse of the sun in the year A.U. 350, the first which was actually observed, was mentioned in the annals, whereas the earlier ones were subsequently calculated, and, as we may safely infer, considering the means of the science of that time, were, of course, calculated wrongly. For the first 240 years we have seven kings, whose reigns are said to have been of extraordinary length, for the most part somewhere about forty years each. Even Newton expresses his opinion of the improbability of a succession of princes reigning for so long a period, and assigns to the reign of a king as a mean number, seventeen years. But the truest parallel

is to be found in the case of the doges of Venice, who like the kings of Rome were elective Princes; in a period of 500 years (A.D. 800—A.D. 1300) Venice had forty doges, so that there were eight in each century. Now if we closely examine the number of the Roman kings, we shall find a numerical artifice just as among the Orientals. I shall premise the following considerations to illustrate what I mean.

The Etruscans had, as the foundation of their chronology, two kinds of *sæcula*, physical and astronomical; the latter contained 110 years, as the supposed mean number of the physical; and by a double intercalation the calendar was restored so as to leave a wonderfully small difference. 110 of these years were nearly equal to 132 years, of ten months each, and this consequently formed an astronomical period. The physical *sæculum* was thus defined by the Etruscans: the first *sæculum* was determined by the life-time of the person who lived the longest, of all those that had been alive at the foundation of a state; the second was indicated by the longest life of the persons living at the conclusion of the first *sæculum*, and so on. Now we find an ancient tradition in Plutarch and Dion Cassius (Dionysius has at least an allusion to it) that Numa was born on the day of the foundation of Rome, so that probably his death in the year A.U. 77 determined the first *sæculum* of Rome.<sup>3</sup> If this was the case we see the reason why thirty-eight years (the number of the *mundines* in a year of ten months) were assigned to Romulus and thirty-nine to Numa. In regard to the last five kings there existed historical traditions, but they were not sufficient for the whole period. It was certain that Rome had had far more than five kings, and as there were still wanting one as the founder of the Ramnes and another as that of the Tities, a number was chosen which had a sacred meaning, namely, the number of the planets,

etc. The first half of 240 years is the end of the 120th, that is exactly the middle of the reign of the fourth among the kings, manifestly an artificial invention; twenty-three years were assigned to him in order to make them begin with the year 110, some striking number being always desired for the beginning of a reign and 110 being the secular number. The ancient year had ten months, and 132 of such years are equal to 110 of the later ones; it was therefore necessary to place the reign of Ancus between 110 and 132. The period between 77 and 110, or thirty-two years, was naturally assigned to Tullus Hostilius. Tarquinius Priscus reigned until A.U. 170, half a century being added to half the years of the kingly period, and his reign accordingly lasted thirty-eight years. The twenty-five years of the last king may be historical; but it is possible also that a quarter of a century was assigned to him. The period from A.U. 170 to A.U. 215 was left for Servius Tullius. But now, supposing that the two reigns of Tarquinius Priscus and Servius Tullius did not last so long, all absurdity disappears, and the ancient unanimous account that Tarquinius Superbus was a son of Tarquinius Priscus is restored to its full right. We see then how the greatest nonsense arises from chronological restorations; the forgery is manifest.

Now although the other sources of the earliest history, the ancient lays, were not falsified, they are nevertheless entirely insufficient. We have a parallel to this in our own lay of the *Nibelungen*; its authors have no intention to deceive, and do not pretend to give an annalistic history; historical persons occur in it such as Theodoric, Attila, the Burgundians, and yet no one portion of the whole poem belongs to history. In like manner, history cannot claim Romulus and Numa, they belong to the sphere of the gods, Romulus as the son of Mars, and Numa as the husband of Egeria; Romulus is only a personification of Rome. Other poems of a similar kind contain more of historical substance, such as the Spanish Romances of the Cid; in

<sup>3</sup> T. Tatius is said to have given him his daughter in marriage, and yet Tatius dies in the fourth year after the foundation of Rome.—N.

this the fundamental features are indeed historical, but they form only a line, whereas the substance as given in the poem is a surface. It is the same with many portions of Roman history, and whoever entirely rejects the early history of Rome does not know what he is doing. Romulus and Numa then, form the first *saeculum*, because they do not belong at all to history; they form a *saeculum* by themselves, as it were a totally different period; and whatever ancient traditions were found respecting the succeeding kings and their period (and many such traditions were current) were inserted in the chronological outline. Any who may think this criticism dangerous, would cease to do so, were they better acquainted with events nearer our own time. It is well known that the middle-age romances about Charlemagne and his Paladins are based upon Latin chronicles ascribed to archbishop Turpinus; these we now look upon as romance and allow them to stand by the side of history; but who would believe that scarcely 150 years after Charlemagne, in the reign of Otho the Great, when not even the remotest idea of a crusade existed, the chronicle of Benedictus of Soracte gives a detailed account of an expedition of Charlemagne to Jerusalem, and without any suspicion of its not being true. Even before the Carlovingian race was extinct, we find wholly fabulous features in the history of Charlemagne, such as his journeys across the Alps, etc., related in the chronicles with the greatest possible assurance. These we can now refute, as we have contemporaneous annals and the biography of Eginhard; the expedition to Jerusalem is disproved even without these by Oriental annals. It is the same in Ireland, for there too we find annals in which a series of kings is given, and among them Niall the Great, a contemporary it seems of the emperor Theodosius; he conquered Britain, Gaul, and Spain, crossed the Alps, and threatened the emperor in Rome. The most positive evidence can be adduced against this entirely fabulous

account, for the authentic history of that period is generally known.<sup>4</sup>

We might with the same facility prove that the early history of Rome is not authentic, if we had earlier historical books to correct the legends. But where are we to find them? The Greeks did not come in contact with Rome till long afterwards, and although they possessed information about the Romans at an earlier period than is commonly supposed, they nevertheless gave themselves no concern about them, just because they did not come in contact with them. The case might be different in regard to the Greeks of the south of Italy and the Siceliots, but none of their writers have come down to us: neither Herodotus nor Thucydides could make mention of the Romans. But there still exists an isolated fragment of Etruscan history, which gives us an opportunity of seeing the manner in which the history of Rome was told among other nations. The emperor Claudius, who was so unfortunate in his early youth and so ill used by his mother, and whose weak mind, although he was possessed of many amiable qualities, was entirely misguided by bad treatment, seems to have excited the sympathy of Livy, who instructed and encouraged him in historiography. He accordingly wrote several works in the Greek language, *Καρχηδονικά* in eight and *Τυρρηνικά* in twenty books, the loss of which we have great reason to regret. Even Pliny does not notice the last named work. But in the sixteenth century there were found two tables, containing fragments of a speech of the emperor Claudius, in which he proposes to the senate to grant the full franchise

<sup>4</sup> The old Irish tradition, as far as I can ascertain, differs somewhat from the statement made in the text. It was not Niall the Great who advanced as far as the Alps, but his successor Dathu, who was struck dead at the foot of the Alps by a flash of lightning A.D. 427. Comp. Keating's General History of Ireland, translated by Dermot O'Conor. Lond. 1723, fol. p. 319; M'Dermot's History of Ireland, London, 1820, 8vo. vol. i. p. 411. The accounts of Roman writers on Ireland, are collected in O'Conor's *Rerum Hibernicarum Scriptores*, v. i, Prolegom. p. 1.—Ed.



to the Lugdunensian Gauls, and to admit them into the senate as had long been the case in the *provincia Romana*. The inhabitants of Gaul were Roman citizens and had Roman names, but they had not the right to be admitted into the senate; and it was this right that the emperor Claudius conferred upon the Lugdunensian Gauls. Of the several brass tables which contained the speech mentioned by Tacitus two still exist; they do not contain a continuous portion of the speech unless a considerable piece is wanting at the bottom of the first table. Previous to the French revolution, they were kept in the town hall of Lyons, but whether they are still there I cannot say.<sup>5</sup> They give us an idea of Claudius's stupidity, and we must acknowledge that the ancients did not wrong him in this respect. In this speech he says in detail what Tacitus has compressed into a few words. "It ought not to be objected," says the emperor, "that this is an innovation, since innovations have been made ever since the beginning of the state; strangers have always been admitted, as for example the Sabines of T. Tatius; strangers have even been made kings, to wit Numa, Tarquin the Etruscan, a descendant from Greece, and Servius Tullius, who according to our annals was a native of Corniculum, and according to those of Etruria an Etrurian of the name of Mastarna, and a follower of Caeles Vibenna. He migrated, settled on the Caelian hill, which was thus called after his leader, and there called himself Servius Tullius." This then is a direct proof of what the Roman annals were in those days. For nothing that is related of this Etruscan Mastarna can be applied to Servius Tullius, the son of a female slave.

There is therefore no doubt that the earliest history of Rome arose out of lays. Perizonius mentions similar instances among other nations: even in the historical books of the Old Testament such lays are to be found; in

reference to the Romans he quotes as a proof Cato's testimony, to which Cicero refers in two passages: "Would," says Cicero, "that those lays were extant, which Cato in his *Origines* states used many ages before his own time to be sung at repasts by the guests in praise of illustrious men." A third mention of them is found from Varro in Nonius Marcellus to the effect that *pueri honesti* sang at repasts songs in praise of deceased great men, sometimes with and sometimes without the accompaniment of the flute. Every one must consider these testimonies to be valid. Among all nations with whose early national literature we are acquainted, we find either long historical poems of an epic character or short ones in praise of individual men. Now previously to making and proving the assertion,<sup>†</sup> that fragments of both kinds have come down to us in Roman history, I must make some remarks upon the oldest metre.

The Ancient Romans, before their adoption of Greek poetry, used the Saturnian verse, of which Horace speaks;

Horridus ille defluxit numerus Saturnius,

and which several ancient grammarians have explained. Atilius Fortunatianus and others among them, being ignorant of its real nature, confined their remarks to a couple of lines that were extant, especially to the following:

Malum dabunt Metelli Naevio poetæ,

in which according to the opinion of the time a hypercatalectic senarius appears. Terentianus Maurus, who belongs to the end of the third century, speaks of it in treating of the Anacreontic verse, because the first part of the Saturnian resembles it. But the true Saturnian verse is quite different, as I intend shortly to show in a separate treatise. It is capable of a variety of forms and is quite independent of Greek metres. The Latin expression for rhythm, which was not applied to Greek metres till a later time, is *numeri*. The Greek metre is based upon music

<sup>5</sup> They are printed in Lipsius' edition of Tacitus and in Gruter's *Corpus Inscriptionum*, but are little read.—N.



and time, but the Romans actually counted the syllables and rarely if at all measured them; a certain number of syllables was necessary to constitute rhythm. Our forefathers too had no idea of long or short syllables after the Greek fashion; in the old hymns of the Latin Church likewise short syllables are used as long and *vice versa*. Plautus and Terence in their iambic and trochaic verses in reality observe the rhythm only and not the time. The same is the case with all Northern nations. The prevailing character of the Saturnian verse is, that it consists of a fixed number of feet of three syllables each. The number of feet is generally four, and they are either bacchics or cretics, alternating with spondees. Sometimes the cretics predominate and sometimes the bacchics; when the verses are kept pure the movement is very beautiful, but they are generally so much mixed that it is difficult to discern them.

These verses, in use from the remotest times, are quite analogous to the Persian, Arabic, the ancient German, Northern and Anglo-Saxon verses, and in fact to all in which alliteration prevails. The old German verse is divided into two halves, an alliteration occurs in the first half twice and in the second half once; it has four arses. The same fourfold rhythm occurs in the old Saxon harmony of the gospels, in Otfrid and others, but five or even six rhythms may occur; in the Persian we find generally four feet of three syllables, in the Arabic frequently the same, but often also feet of four syllables. The Spanish *coplas de arte mayor* which were common previous to the adoption of the Alexandrines, and which were introduced into Flanders, also are of exactly the same kind. It is probable that the same metre is found in the longer Provençal poems. This ancient Roman metre occurs throughout in Roman poetry down to the seventh century. I have collected a large number of examples of it and discovered a chapter of an ancient grammarian with most beautiful fragments, especially from Naevius. I shall publish this important treatise on the Saturnian verse, for the grammarian

really understood its nature.<sup>6</sup> In Plautus it is developed with great beauty.

There were also smaller ancient poems in this metre. At the funerals of Romans *naeniae* were sung with the accompaniment of the flute, and these were not melancholy and soft dirges, but must have had the same character as the *laudationes*; the dead had passed to their illustrious ancestors, their glory was made use of as a show and as an encouragement, and for this reason simple praise was bestowed upon them in these *naeniae*. The words of Horace, *absint inani funere naeniae*, etc., refer, if songs were sung at all at funerals, to the lamentations of later times; for the Romans originally were not tender-hearted: they made use even of a dead man for the good of the republic; from his grave he continued to call upon the living to follow in his footsteps. *Naeniae* and *laudationes*, therefore, were certainly quite plain and simple, according to the ancient style in which periods were not yet known, and bore no resemblance to the *λόγοι ἐπιτάφιοι* of Thucydides and the later Greeks. Two poems evidently of this kind are still extant on the tombs of the Scipios, which were discovered in 1780 on the Appian road; the upper compartment, which contained the sarcophagus of the younger Africanus and the statue of Ennius, had disappeared, but the lower one was worked into the rock and was found filled with rubbish. The latter contained the sarcophagus of L. Scipio Barbatus, who was consul in the year

<sup>6</sup> The grammarian, whose fragment on the Saturnian verse is here mentioned, is Charisius. Niebuhr took a copy of it from a Neapolitan manuscript in 1823, and his copy has been entrusted to Prof. Lachmann of Berlin, who is preparing its publication. Prof. Schneidewin of Göttingen published it in 1841 in a programme, "Flavii Sosipatri Charisii de versu Saturnio commentariolus ex codice Neapolitano nunc primum editus," from a copy taken by O. Müller, and severely criticised Niebuhr's expressions respecting the Saturnian verse; but a glance at the fragment, as it is there printed, shews, that Müller's copy is very imperfect, and it would have been more becoming accurately to examine the copy taken by Niebuhr, before criticising him in a manner, which does not indeed injure the memory of Niebuhr, but certainly does not place the modesty of Schneidewin in the most favourable light.—ED.

A. U. 454. Persons had descended into this tomb from above long before,<sup>7</sup> and had taken out one of the slabs, which is now fixed in the wall of the palace Barberini, but it was forgotten again.<sup>8</sup> These magnificent sarcophagi bear inscriptions in verse, which are written like prose it is true, but the verses are divided by lines; on the sarcophagus of the son the verses are even marked, and that they are verses may be seen from the unequal length of the lines, for otherwise the Romans always wrote their lines to the end of the slab. These are quite plain and simple verses, but still there is rhythm in them—

Cornéliu' Lúciu' Scípio Barbátus,  
Gnáivo prognátu', fortis vír sapiéns que—  
Consúl, censor, aédilis, qui fuit apúd vos, etc.

—These are certainly the *naeniae* which were sung at the time and were afterwards inscribed on the tomb. The ancient songs at repasts were for the most part just as simple.

Now these *naeniae*, which together with the *laudationes* were kept in the atrium, are sources of the earliest history. But besides these there also existed longer epic poems among the Romans no less than among other nations, such as the Servians; the songs of the modern Greeks are of a purely lyrical character, but those of the Servians are a combination of epic and lyric. I think I have discovered in Livy a fragment of such an heroic epic, on the fight of the Horatii and Curiatii. Now we cannot indeed suppose that Livy saw these ancient epics and wrote his history from them, but he wrote in part directly and in part indirectly through the medium of Varro, from the books of the pontiffs and augurs, which contained a great many fragments of such ancient epics, some of which may have been as old even as the time of the taking of Rome by the Gauls. In the passage of Livy in which he relates the trial of Horatius, which he took from those books, he speaks of a *lex*

*horrendi carminis*; the formulæ of that time were called *carmina* and were in the ancient metre. That Livy drew his materials from those books either directly or indirectly becomes the more certain from Cicero's statement, that the formula of the *provocatio ad populum* was contained in the *libri augurales*. The formula is—*Duiniviri pérducl-líonem jldicent*, etc., in which the ancient metre is still discernible.

I have elsewhere observed that Cicero's statement: *laudationibus historia nostra facta est mendosior*, is also acknowledged by Livy: as every thing good may easily acquire a tendency to evil, so also could the beauty of Roman family pride degenerate into falsehood, and there is no reason for disbelieving the assertion.

After the first scanty records of the early times had for the most part been destroyed in the Gallic conflagration, they were restored according to certain schemes from the songs of the *vates*; the poems became altered as they passed from mouth to mouth, and they, combined with the *laudationes*, form the groundwork of our history—the material which Fabius found when he began to write.

If we look at the tenth book of Livy, we find in it a disproportionate minuteness in his account of the campaigns of Fabius Maximus Rullianus, and this minuteness arises from family records; we may in fact point out not a few statements, which cannot have had any other source but family vanity, which went so far as to forge consulships and triumphs, as Livy himself says.

Other forgeries again arose from national vanity, and these occur everywhere in those parts of the history which relate to any great calamity suffered by the Romans, especially the great calamities of the early times, such as the war with Porsenna, the sacking of Rome by the Gauls, and the defeat of Caudium, the whole narratives of which are falsified. Others arose from party spirit, which in primitive periods led to perpetual strife; one party raised false accusations against the other, and these were introduced into history; at

<sup>7</sup> In the year 1616.

<sup>8</sup> The bodies of the Corneliis down to the time of Sulla were not burned according to the Pælasgian and Greek fashion, but were buried in coffins.—N.

other times attempts were made to palliate and conceal moral and political crimes. The people are described as being the cause of the worst misfortunes though they were innocent and their opponents were the guilty party; it was not the people but the *curiae* that condemned Manlius to death, and it was the *curiae* that pronounced the inglorious decision between the Ardeatans and Aricinians; nay, we may be convinced that it was the *curiae* too who compelled Camillus<sup>9</sup> to go into exile.

Such falsifications accumulate, become interwoven with one another, and in the end produce a strange confusion. We may collect the rich materials though they are widely scattered, because party spirit prevented their being united, and by the process of criticism we may discover the constitution and character of the Roman nation, and in general outlines give their history down to the time at which we have the contemporary records of the Greeks, that is to the war with Pyrrhus and the first Punic war. Much will indeed remain obscure in our investigations, but we can accurately distinguish where this must be so and where not.

Roman History goes back to Latium and through Latium to Troy. Since the question was raised by Dion Chrysostomus whether Troy ever really existed, an immense deal has been written upon it, and also on the question whether Aeneas ever came to Italy. The treatise by Theodore Ryckius<sup>10</sup> upon this subject is very well known; he regards the arrival of Aeneas as an historical fact in opposition to Bochart, who was one of the last ingenious philologists of France,<sup>11</sup> and whose intellect was at all events superior to that of Ryckius. Bochart's hypothesis concerning the influence of the Phoenicians is certainly carried

too far. Now, however, the question would be put in a totally different manner; we should ask, Has the legend of the arrival of the Trojans on this coast any historical ground? Further, Did the legend originate with the Greeks and come over to Italy, or is it of native Italian growth, that is to say, is it one which we at least cannot trace to any Greek sources? If the latter be the case, there must be some truth at the bottom of it, and the less we take these ancient traditions literally, the more probability we find in them.

There existed unquestionably in the earliest times of Greece, two nations who were very nearly akin to each other and yet were so different that the one did not even understand the language of the other, as Herodotus distinctly says: the language of the one when compared with that of the other was regarded as barbarous, and yet from another point of view they may be looked upon as very kindred languages. Several living languages, even now, stand in a similar relation to one another, such as the Polish and Bohemian, the Italian and Spanish, and if we do not look at the relationship quite so closely, the Polish and Lithuanian. The last two languages differ from each other immensely, but yet have a characteristic resemblance; the grammar of both is based upon the same principles: they have the same peculiarities, their numerals are almost the same, and a great number of words are common to both. These languages therefore are sister languages, and yet a Pole does not understand a Lithuanian. Now this is the manner in which we solve the question so often raised respecting the difference or identity of the Greeks and Pelasgians. When Herodotus tells us that they were different, we must indeed believe him, but on the other hand he joins the Hellenes and Pelasgians together, consequently there can have been no radical difference between the two nations.

In the earliest times, when the history of Greece is yet wrapt up for us in impenetrable mystery, the greater part of Italy, perhaps the whole of the

<sup>9</sup> Livy, iii. 71, 72.

<sup>10</sup> Theod. Ryckii *Diss. de Primis Italiae Colonis et Aenea* in Luc. Holstenii *Notae et Castigationes in Steph. Byzantium*. Lugd. Bat. 1684, fol.

<sup>11</sup> Salmasius was far less clear-headed than he.—N.

eastern coast of the Adriatic, Epirus, Macedonia,<sup>12</sup> the southern coast of Thrace with the peninsulas of Macedonia, the islands of the Aegean as well as the coasts of Asia Minor as far as the Bosphorus were inhabited by Pelasgians.<sup>13</sup> The Trojans also must be regarded as Pelasgians; that they were not barbarians is confirmed by the unanimous opinion of all the Greeks and may be seen from Homer; they inhabit a Pelasgian country but their names are Greek. They are sometimes spoken of as more closely connected with the Arcadians, who were another essentially Pelasgic race, sometimes with the Epirots and sometimes with the Thessalians; Aeneas in one tradition migrates to Arcadia and there dies, and in another he goes to Epirus where Hellenus is settled. Thus, in Pindar's poem on Cyrene, we find Aristaeus, a Pelasgian hero from Arcadia, along with the Antenoridae. The connection between the Pelasgians and Trojans goes very far back, for Samothrace especially is the metropolis of Ilium; Dardanus comes from Arcadia, but passes through Samothrace, and, being married to Chryse, he proceeds thence to Troas. The Samothracians, according to one grammarian, were a Roman people, that is, they were recognised as the brothers of the Romans, namely of the Troico-Tyrrhenian Pelasgians. This connection has no other foundation than the kindred nature of the Tyrrhenians, Trojans, and Samothracians. Some accounts state that Dardanus went from Tyrrhenia to Troas, others that the Trojans went to Tyrrhenia. The temple and mysteries of Samothrace formed a point of union for many men from all countries:<sup>14</sup> for a great portion of the world at that time, the

temple of Samothrace was like the Caaba of Mecca, the tomb of the prophet at Medina, or the holy sepulchre at Jerusalem. Samothrace and Dodona were to the Pelasgian nations what perhaps Delphi and Delos were to the Hellenic world. The distance of a great number of kindred tribes from those central points, was in this instance of no greater consequence than in the case of the Mahommedans, who are not prevented by distance from going as pilgrims to the sacred spot.

This race of the Pelasgians, which we can trace as far as Liguria, and which also inhabited at least the coasts of Corsica and Sardinia, disappears in the historical times as a body of nations: it consisted originally of a number of tribes with different names, of which afterwards we find only remnants and isolated tribes. A very extensive name for that part of the race which inhabited Epirus and the southern part of modern Italy, at least as far as Latium and the coast of the Adriatic, was Siculi, also Vituli, Vitelli, Vitali Itali; from these Italy derives its name.<sup>15</sup> Notwithstanding the wide extent of this Siculian or Italian name, it seems that in the earliest times Italy did not, as now, denote the country as far as the Alps; it is indeed possible that the changes which took place in consequence of the migration of the northern tribes separated the maritime countries of Etruria from Italy and confined the name of Italy to the country south of the Tiber or even south of Latium. This, however, is only a conjecture; but it is certain that at one time Italy was bounded in the north by a line from the Garganus in the east to Terracina in the west, and that the name, after having been more limited, was again, after the time of Alexander the Great and previously to the extension of the dominion of Rome, used in its former and wider extent. It seems to be this earlier Italy that Pliny means, when he says

<sup>12</sup> The original inhabitants of Macedonia were neither Illyrians nor Thracians, but Pelasgians. Comp. C. O. Müller's Treatise on Macedonia, appended to Vol. I. of the Hist. and Ant. of the Doric Race, p. 467, etc.

<sup>13</sup> Even Aeschylus peoples all Greece with Pelasgians.—N.

<sup>14</sup> We may certainly look upon this as an established fact, although the investigations concerning the mysteries themselves will never yield any positive results.—N.

<sup>15</sup> As K (or C) and T are identical, and only dialectically different, so the S is changed into the digamma or V, which, again, is often lost, especially at the beginning of words.—N.



it is *querno folio similis*.<sup>16</sup> This statement he undoubtedly took from Timaeus, with whom also originated the comparison of Sardinia to a sandal or a foot-mark. It quite escaped Pliny's attention that Italy in his time could not be described in any such way; and this is a very characteristic instance of the hasty and thoughtless manner in which he wrote.

In the south of Italy the earliest inhabitants were also called Oenotri and Peucetii, in the north undoubtedly Liburnians and on the coast of Latium Tyrrhenians.

Whether the settlements on the coast north of the Tiber were remnants of a people who had been driven back, or whether they were only colonies, it is no longer possible for us to decide. But there appear in central Italy besides these tribes, which were analogous to the Greeks, nations of a different kind which overwhelmed the former. These migrations seem to have been similar to those met with in modern history, where one nation has pushed forward another. The people who threw themselves at the same time upon the Siculi in Latium and upon the Itali in the south of Italy, and, having partly expelled and partly subdued them, became assimilated to them, are the Opici, a transition people, who in reality existed as Opici in a few places only, but, being again amalgamated with other subdued people, they produced new forms. They appear under various names, which, however, have the same radical syllable. Thus we find them under the name of Apuli, the terminations *-icus* and *-ulus* being equivalent: hence the Italian population ceases in Apulia, extending apparently as far as Messapia, where a portion of the Itali maintained themselves in an isolated position. They further existed in the countries afterwards called Samnium,

Campania, and, under the name of Volscians and Aequians, on the borders of Latium.

The Opicans again were pressed forward by the Sabines (Sabellians) who called themselves autochthons, and who traced their origin to the highest mountains of the Abruzzo, near Majella and Gran Sasso d'Italia. Cato somewhat strangely supposes these to have come from the small district of Amiternum. Now whether the Sabellians and Opicans differed from each other, as, for example, the Gauls and Ligurians did, or even in a less degree, as the Gauls and Cymri; or whether they belonged to the same stock and were separated from each other only politically, are questions which we cannot solve. The ancients did not know this, nor did they pay much attention to it. If we obstinately determine to see where no historical light is to be obtained, the intellectual eye is injured as is the physical, when it violently exerts itself in the dark. Varro indeed distinguishes between the Sabine and Oscan languages, but he knew so little of the ancient languages, in the sense in which W. v. Humboldt knows them, that little reliance can be placed on his statements respecting the affinity of languages. According to general analogy, I believe that there was a migration of nations in different directions, by the first impulse of which the Sabines may have been driven from their northern habitations; but this is a mere conjecture.

The Umbrians may possibly have belonged to the same stock as the Opicans. I should not like to attribute too much importance to the resemblance of their names, for nations that are nearest akin to one another often have very different names, and widely different nations frequently have similar ones. Thus the Getae and the Goths were for a long time erroneously looked upon as the same people; and fifty years ago it was the general opinion in Ireland and Scotland that the Fir-Bolgs<sup>17</sup> spoken of in the poems of

<sup>16</sup> This is a remarkable example of the manner in which Pliny wrote; he sometimes speaks in his own name and sometimes gives extracts, but unfortunately his historical extracts are made with as little thought as those relating to natural history, which are full of misapprehensions of Aristotle and Theophrastus.—N.

<sup>17</sup> The Fir-Bolgs belong to the bardic history of Ireland, which describes them as the third



Ossian were the ancient Belgians. But this is not correct; they were, as a very well informed Englishman wrote to me, a Danish colony. We must be greatly on our guard against the miserable desire to construe the history of nations from their names, a desire which has given rise to so many hypotheses and fancies. Much may be learnt from the study of names indeed, but what in some cases is correct ceases to be true in others, and becomes a source of error and fanciful theories which we must shun as vermin and serpents. If I had not other evidence than the mere names, I should hesitate to declare the Opicans and Umbrians identical. But Philistus called the

immigration into Ireland; the Scots found them in Ireland governed by kings; to them is ascribed the building of the Cyclopiæ walls in Ireland.—ED.

people who conquered the Siculians in Latium Ombricans, and moreover the affinity of their languages may be distinctly perceived from the remnants which have come down to us.

These changes of nations, in which the earliest inhabitants were driven out by one tribe and this again by another, are the causes which render the history of the early Italian nations so indescribably obscure and difficult for us, that, even where we ourselves have a clear view, the misconceptions in our authorities still maintain their ground, and ever and anon cause fresh discussions. A solution of these difficulties, free from all objections, is utterly impossible. He who is engaged in such investigations must often be satisfied with evidence which has the appearance of truth, but he ought to be able to show how the misconceptions arose.

## LECTURE XIV.

AT a period which we cannot chronologically define, there existed a population of Siculians in the country afterwards called Latium, which may however have borne this name from the earliest times. The remembrance of this population was preserved at Tibur, part of which town was, according to Cato, called Siculio.<sup>1</sup> Elsewhere also in ancient authors, we find an immense number of statements which place the existence of this people beyond all doubt. It is found under the same name in southern Italy, and also in the island which to this day is named after them. According to one tradition, Sicelus went from Latium to the Oenotrians; according to another, the Siculians under different names were driven from their ancient habitations by the Opicans or Umbrians, and

migrated to the island of Sicily. This migration only shews the combinations of those who wish to prove the contemporaneous existence of the same people in Latium and in Sicily. The migration is possible indeed, but it is also possible that it took place in quite a different direction. It is certain that the Siculians existed in the south of Italy in Homer's time, of which we find evidence in a passage from Mnaseas, a pupil of Aristarchus, a learned grammarian and historian quoted by the Scholiast on the *Odyssey*. He says also, that Echetus was prince of the Siceli in Epirus, so that he recognises this name even in those parts; we see from his explanation, that when the poet of the *Odyssey* speaks of the Siceli, he does not mean the inhabitants of Sicily, an island scarcely known to him, but the inhabitants of the south of Italy or the Pelasgians of Epirus.

The Siculi are the same as those whom Cato calls Aborigines. This name is explained by *γενάρχαι*, that is

<sup>1</sup> In the printed collections of the fragments of Cato, I do not find this statement; whence I suppose that Cato is here confounded with Dionysius, who (i. 16) has the statement in question.—ED.

ancestors; or by *Aberrigines*, that is, *wandering people*; but it more probably signifies the people that have been from the beginning (*ab origine*). The nominative singular according to the Latin idiom must have been *Aboriginus*. There was a tradition that Latium was originally inhabited by autochthons, but Cato and C. Sempronius<sup>2</sup> said, that the Aborigines had come from Achaia, that is from the Peloponnesus, the whole of which was then called Achaia by the Romans. Others apply the epithet Argive to the particular places which were otherwise called Sicilian, and Cato had done so even in the case of Tibur. Argos and Larissa are Pelasgian names occurring wherever Pelasgians are found, Argos probably signifying a *town*, and Larissa a *citadel* or *arx*. So long as the Peloponnesus was Pelasgian it was called Argos, just as Thessaly, and, in this sense, the Argives are Pelasgians; the Ἀργεῖοι Πελασγοὶ in ancient tragedy are always mentioned together, the one being probably the wider and the other the more limited name.

Hesiod says of Latinius, πᾶσι Τυρρηνοῖσιν ἀγαλλετοῖσιν ἀνδρῶσι. All we know about the Latins is the fact that they possessed a number of towns from Tibur to the river Tiber: how far they extended in the earliest times towards the Liris is uncertain. Cato, quoted by Priscian, states that the plain of the Volscians formerly belonged to the Aborigines; and it is certain that all the towns along the coast, such as Antium, Circeii and others, were at an early period Tyrrhenian. At that time, accordingly, the name Latium was of very wide extent, and even immediately after the time of the Roman kings it extended as far as Campania, but was afterwards restricted by the great migrations which took place after the expulsion of the kings. Hesiod of course refers to an earlier period. In the treaty of Rome with Carthage the names Latium and Latins extend along the coast beyond

Terracina, and probably as far as Cumae.

The Pelasgian inhabitants of the whole of the western coast of Italy were called by the Greeks Tyrrhenians, and by the Latins *Turini*, *Tusci*, that is, *Tusici* from *Tusus* or *Turus*; for *s* is used in the early language instead of *r*, as in *Fusus* for *Furius*.

We must keep in mind that the Pelasgians and Aborigines were one and the same people. If we examine the traditions of nations we frequently find that the same events are related in various and entirely opposite ways. The story of a Jew taking merciless vengeance on a Christian, such as we read of in "The Merchant of Venice," is found completely reversed in a Roman tale written shortly before Shakespeare's time; in this the Christian is represented as wishing to cut a piece of flesh out of the Jew's body. The migrations of the Goths proceed, according to some, from Scandinavia to the south, and according to others from the south to Scandinavia. Wittekind states that the Saxons came from Britain to Germany, while the common tradition describes them as having been invited from Germany to Britain. The Pelasgians about Mount Hymettus near Athens are said to have migrated from Tyrrhenia to Athens, and thence to Lemnos, while in another tradition the Tyrrhenians proceed from the Maeonian coast to Italy. In like manner, Cyrene, according to one tradition, received a colony from Thera; but according to another, Thera arose out of a clod of earth from Lybia. In the earlier traditions, the Planetæ are at the entrance of the Euxine, and the ship Argo on its voyage to Colchis sailed between them: in the later traditions, they appear in the Western Sea and are an obstacle to the Argo on her return. The same contradiction appears in the case of the Aborigines. Dionysius in defiance of etymology applies this name to the people who, coming from the interior, overpowered the ancient inhabitants. Varro did just the same: he is even worse than Pliny; he knows that the Latins are a combination of two nations, but he confounds every

<sup>2</sup> Probably C. Sempronius Tuditanus, the same whom Dionysius (i. 11) calls λεγιώτατον τῶν Ῥωμαίων συγγαφίαν.—ED.

thing, representing the Aborigines as the conquering and the Sicilians as the conquered people.<sup>3</sup> Following the example of Hellanicus he proceeds to trace the Aborigines to Thessaly, but then makes them migrate from the Upper Anio as far as the Upper Abruzzo, whither they are pushed by the Sabines. This tradition has a local and probable character, for in that district there existed a number of small townships; large towns on the other hand, such as we find in Etruria, are always a proof of immigration, the immigrating people usually settling together in considerable numbers. Dionysius must be excused for his error, since he trusted to the authority of Varro, who alone is responsible for the blunder of confounding the conquering with the conquered people.

One of the conquering tribes probably bore the name of Casci. Whether this was one of the names borne by the Tyrrhenians, Latins or Sicilians, or whether the Casci were foreign immigrants, cannot be determined with certainty, though the latter is more probable. The name Casci has been preserved by Servius from Saufeius, a grammarian who seems to belong to the first century of the Christian era. They also occur under the name of Sacrani, from which Varro and Dionysius infer that they were a *ἱερὰ νεότης*. A tribe of the people who, under the names of Opicans, Oscans and Umbrians, inhabited the interior of Italy, or, more probably, had been pushed forward from the north and was pressed between the ancient Pelasgian places, settled in the Apennines about lake Fucinus (now Celano) towards Reate.

Their capital was called Lista, and they extended to the boundaries of the Sicilians who dwelt above Tibur

towards the inland districts. There was a tradition that in their war with the Sabines, who had already taken Reate from them, and continued to push them onward, they had vowed a *ver sacrum*. This custom, observed by the Italian nations in times of misfortune, was preserved among the Romans also: a vow was made to dedicate to the gods all the cattle and in general every thing which the next spring might produce, and to send out as colonists the male children who were born in that season; the vegetable produce was either offered as a sacrifice or its value in money. Having made this vow, the *Sacrani* marched towards Latium and subdued the Sicilians. In Latium they settled among the ancient inhabitants, and became united with them into one people bearing the name *Prisci Latini*, for the Casci must also have been called *Prisci*.<sup>4</sup> *Prisci Latini* is the same as *Prisci et Latini*, for the Latin language always expresses two ideas which are inseparably connected by the simple juxtaposition of the two words, mortar not being used by the ancient Romans in their language any more than in their architectural works. This has been clearly demonstrated by Brissotius, who has also established the formula *populus Romanus Quirites*; but he goes too far in asserting that the Romans never said *populus Romanus Quiritium*, a position which has been justly controverted by J. Fr. Gronovius. In like manner we must explain *patres conscripti* as *qui patres quique conscripti sunt*, and also the legal formulae, *locati conducti, emti venditi*, and others. *Priscus* and *Cascus* afterwards signified *very ancient, old fashioned*; whence the phrases, *casce loqui, vocabula casca*. These conquerors spoke Oscan, and from the combination of their language with

<sup>3</sup> Varro had read immensely, but he ought not to be called a learned man, on account of his confusion. When I, as a young man, began these investigations, I could not see my way clearly in these matters, though in the main points I saw correctly; I trusted too much to Varro's authority, and owing to his confusion of names I did not gain a clear insight till when I prepared a new edition of my work.—N.

<sup>4</sup> It would be absurd to take *Prisci Latini* in Livy to mean ancient Latins; he took the formula of the declaration of war by the Fetiales, in which the expression first occurs, from the ritual books; it refers to the time of Ancus Martius; and before the time of Tarquinius Superbus there were no Latin colonies at all as distinguished from the rest of the Latins.—N.

that of the Pelasgo-Sicilians there arose that curious mixture which we call Latin, of which the grammar, and still more the etymology, contains so important a Greek element, which C. O. Müller has at my suggestion so admirably investigated in the first volume of his Etruscans. The primitive Oscan language is still preserved in a few ancient monuments; a few inscriptions in it were found at Pompeii and Herculaneum: the table of Bantia (Oppido) is perfectly intelligible. Of the two elements of the Latin language, the Greek and the not-Greek, the latter answers to the Oscan language. All words relating to agriculture, domestic animals, produce of the field, and the like, are Greek or akin to Greek. We see then a conquered agricultural people, and a conquering one coming from the mountains, which did not pursue agriculture.

Henceforth we lose all traces of the original tradition which is supplanted by the story of the Trojan immigration. I shall not here enter into any detail, but refer you to the minute investigations contained in my history of Rome; the result of which is that this last-named story has no authenticity whatever, but is only a later embellishment to express the relation existing between the Trojans as Pelasgians, and the nations of Italy which belonged to the same stock. The tradition of a Trojan colony occurs in many parts of Italy, and the fact of its having become more firmly established in regard to Latium is purely accidental; it was kept up and nourished by the diffusion of Greek poems, which was far more extensive than we commonly imagine.

The story of the Trojan settlement is comparatively ancient among the Romans; even Naevius, in his poem on the Punic war, gave a very minute account of it; the Ilians established their claims among the Romans during the wars against Seleucus Callinicus. We could not take as our guide a person who would treat seriously the accounts of the foundation of Rome by Aeneas; some particular points in them are of a really national character, but the period of time between the

events and their recorders is too great. Naevius wrote about 950 or 980 years after the time commonly assigned to the destruction of Troy. It is little known how much Virgil altered the ancient tradition of the settlement of Aeneas in Latium—as a poet he had a perfect right to do so—for its ancient form was rough and harsh, as Latinus was said to have fallen in the war against Aeneas, and Lavinia, who was first betrothed to Aeneas and afterwards refused him, became a prisoner of war. The earliest tradition, moreover, represented the settlement as very small, for, according to Naevius, Aeneas arrived with only one ship, and the territory assigned to him consisted, as Cato stated, of no more than 700 *jugera*. Supposing this to be true, how is it possible that a recollection of it should have been preserved for upwards of 900 years?

The original tradition is, that Aeneas at first for three years dwelt in a small town of the name of Troy; he is then said to have gone further inland and to have founded Lavinium; thirty years after this Alba was founded, and 300 years after Alba the foundation of Rome was laid. This regular progression of numbers shews that the field is not historical, and there seems to be no doubt that the duration of Rome was fixed at 3000 years. There are in these traditions two different numerical systems, the Etruscan, with a *saeculum* of 110 years, and the Greek or Tyrrhenian in which the *saeculum* consisted of thirty years. This number thirty was at all times of great importance, because the period of the revolution of Saturn was then, as Servius remarks, believed to be completed in thirty years. Thirty ordinary years formed with the Greeks one Saturnian, and 100 Saturnian years constituted one great year. With this are connected the progressive numbers from the foundation of Lavinium to the building of Rome. The earliest history of Alba is worth nothing, as has been shewn by the acute Dodwell;<sup>5</sup> who elsewhere too often spoiled by his

<sup>5</sup> De Cyclis, diss. x.



subtleties that which he had well begun. The chronology of the Alban kings, for example, in Dionysius, is nothing but folly and falsehood, and their names are huddled together in every possible manner. This forgery, as we learn from Servius, was made at a late period by a freedman of Sulla, L. Cornelius Alexander of Miletus, who quickly became popular at a time when people delighted in having the history of a period of which nothing could be known.

Alba, on the Alban lake, is, in my opinion, the capital of the ruling conquerors; it is not owing to mere chance that it bears the same name as the town on lake Fucinus whence the *Sacranî* had come. When they were obliged to give up their country to the Sabines, they founded a new Alba on a lake, just as the Carthaginians built a new Carthage, the Milesians a new Miletus on the Black Sea, and as the English have so often done in the new world. This Alba Longa then was the seat of the *Casci* or *Sacranî*, and the earlier Latin towns within its territory probably experienced a twofold fate; some may have received a part of their population from the immigrants, and others may have been reduced to a state of dependence without receiving colonists.

We have a tradition that these Latin towns were thirty in number, and that all were colonies of Alba, but this is opposed to another statement which declares all of them to have been originally Argive towns. Both may perhaps be maintained, if we suppose that an ἀποδασμός of the ruling people settled in each of the towns. This tradition as it stands is founded upon a misunderstanding: Alba had thirty *demi*, which as *perioeci* belonged to it, and they are the *populi Albenses* which I have discovered in Pliny. By this discovery their relation has become clear to me, and I have no doubt that the relation in which Alba stood to these Albensian towns was the same as that in which the *populus* of Rome stood to the *plebs*, and afterwards Rome to Latium. Previously to its destruction, Alba had no doubt the sovereignty of Latium, as Rome had afterwards. Alba therefore was surrounded by thirty *populi Albenses*, part of which were probably Alban colonies, and all of which constituted the state of Alba; and besides them there was a number of towns of the *Prisci Latini*, which were dependent upon Alba, whatever their condition may have been in the earliest times.

## LECTURE XV.

I BELIEVE that few persons, when Alba is mentioned, can get rid of the idea, to which I too adhered for a long time, that the history of Alba is lost to such an extent, that we can speak of it only in reference to the Trojan time and the preceding period, as if all the statements made concerning it by the Romans were based upon fancy and error; and that accordingly it must be effaced from the pages of history altogether. It is true that what we read concerning the foundation of Alba by Ascanius, and the wonderful signs accompanying it, as well as the whole series of the Alban kings, with

the years of their reigns, the story of Numitor and Amulius and the story of the destruction of the city, do not belong to history; but the historical existence of Alba is not at all doubtful on that account, nor have the ancients ever doubted it. The *Sacra Albana* and the *Albani tumuli atque luci*, which existed as late as the time of Cicero, are proofs of its early existence; ruins indeed no longer exist, but the situation of the city in the valley of Grotta Ferrata may still be recognised. Between the lake and the long chain of hills near the monastery of Palazzuolo one still sees the rock cut steep down



towards the lake, evidently the work of man, which rendered it impossible to attack the city on that side; the summit on the other side formed the arx. That the Albans were in possession of the sovereignty of Latium is a tradition which we may believe to be founded on good authority, as it is traced to Cincius.<sup>1</sup> Afterwards the Latins became the masters of the district and temple of Jupiter. Further, the statement that Alba shared the flesh of the victim on the Alban mount with the thirty towns, and that after the fall of Alba the Latins chose their own magistrates, are glimpses of real history. The ancient tunnel made for discharging the water of the Alban lake still exists, and through its vault a canal was made called Fossa Cluilia: this vault, which is still visible, is a work of earlier construction than any Roman one. But all that can be said of Alba and the Latins at that time is, that Alba was the capital, exercising the sovereignty over Latium; that its temple of Jupiter was the rallying point of the people who were governed by it; and that the gens Silvia was the ruling clan.

It cannot be doubted that the number of Latin towns was actually thirty, just that of the Albensian demi; this number afterwards occurs again in the later thirty Latin towns and in the thirty Roman tribes, and it is moreover indicated by the story of the foundation of Lavinium by thirty families, in which we may recognise the union of the two tribes.<sup>2</sup> The statement that Lavinium was a Trojan colony and was afterwards abandoned but restored by Alba, and further that the sanctuary could not be transferred from it to Alba, is only an accommodation to the Trojan and native tradition, however much it may bear the appearance of antiquity. For Lavinium is nothing else than a general name for Latium, just as Pan-ionium is for Ionia, *Latinus*, *Lavinus*, and *Lavicus* being one and the same name, as is recognised even by Ser-

vius. Lavinium was the central point of the Prisci Latini, and there is no doubt that in the early period before Alba ruled over Lavinium, worship was offered mutually at Alba and at Lavinium, as was afterwards the case at Rome in the temple of Diana on the Aventine, and at the festivals of the Romans and Latins on the Alban mount.

The personages of the Trojan legend therefore present themselves to us in the following light. Turnus is nothing else but Turinus, in Dionysius *Τυρρηνός*; Lavinia, the fair maiden, is the name of the Latin people, which may perhaps be so distinguished that the inhabitants of the coast were called Tyrrhenians, and those further inland Latins. Since, after the battle of lake Regillus, the Latins are mentioned in the treaty with Rome as forming thirty towns, there can be no doubt that the towns, over which Alba had the supremacy in the earliest times, were likewise thirty in number; but the confederacy did not at all times contain the same towns, as some may afterwards have perished and others may have been added. In such political developments, there is at work an instinctive tendency to fill up that which has become vacant; and this instinct acts as long as people proceed unconsciously according to the ancient forms and not in accordance with actual wants. Such also was the case in the twelve Achæan towns and in the seven Frisian maritime communities; for as soon as one disappeared, another dividing itself into two, supplied its place. Wherever there is a fixed number, it is kept up, even when one part dies away, and it ever continues to be renewed. We may add that the state of the Latins lost in the West, but gained in the East. We must therefore, I repeat it, conceive on the one hand Alba with its thirty demi, and on the other the thirty Latin towns, the latter at first forming a state allied with Alba, and at a later time under its supremacy.

According to an important statement of Cato preserved in Dionysius, the ancient towns of the Aborigines were small places scattered over the mountains. One town of this kind was

<sup>1</sup> *Albanos rerum potitos usque ad Tullum.*  
Festus, s. v. *prætor*.

<sup>2</sup> *Rom. Hist.* i. p. 201, fol.

situated on the Palatine hill, and bore the name of Roma, which is most certainly Greek. Not far from it there occur several other places with Greek names, such as Pyrgi and Alsium; for the people inhabiting those districts were closely akin to the Greeks; and it is by no means an erroneous conjecture, that Terracina was formerly called *Τραχυνή*, or the "rough place on a rock;" Formiæ must be connected with *ὄππος*, "a road-stead" or "place for casting anchor." As certain as Pyrgi signifies "towers," so certainly does *Roma* signify "strength,"<sup>3</sup> and I believe that those are quite right who consider that the name Roma in this sense is not accidental. This Roma is described as a Pelasgian place in which Evander, the introducer of scientific culture, resided. According to tradition, the first foundation of civilisation was laid by Saturn, in the golden age of mankind. The tradition in Virgil, who was extremely learned in matters of antiquity, that the first men were created out of trees, must be taken quite literally;<sup>4</sup> for as in Greece the *μύρμηκες* were metamorphosed into the Myrmidons, and the stones thrown by Deucalion and Pyrrha into men and women, so in Italy trees, by some divine power, were changed into human beings. These beings, at first only half human, gradually acquired a civilisation which they owed to Saturn; but the real intellectual culture was traced to Evander, who must not be regarded as a person who had come from Arcadia, but as *the good man*, as the teacher of the

alphabet and of mental culture, which man gradually works out for himself.

The Romans clung to the conviction that Romulus, the founder of Rome, was the son of a virgin by a god, that his life was marvellously preserved, that he was saved from the floods of the river and was reared by a she-wolf. That this poetry is very ancient cannot be doubted; but did the legend at all times describe Romulus as the son of Rea Silvia or Ilia? Perizonius was the first who remarked against Ryckius, that Rea Ilia never occurs together, and that Rea Silvia was a daughter of Numitor, while Ilia is called a daughter of Aeneas. He is perfectly right: Nævius and Ennius called Romulus a son of Ilia, the daughter of Aeneas, as is attested by Servius on Virgil and Porphyrio on Horace;<sup>5</sup> but it cannot be hence inferred that this was the national opinion of the Romans themselves, for the poets who were familiar with the Greeks, might accommodate their stories to Greek poems. The ancient Romans, on the other hand, could not possibly look upon the mother of the founder of their city as a daughter of Aeneas, who was believed to have lived 333 or 360 years earlier. Dionysius says that his account, which is that of Fabius, occurred in the sacred songs, and it is in itself perfectly consistent. Fabius cannot have taken it, as Plutarch asserts, from Diocles, a miserable unknown Greek author; the statue of the she-wolf was erected in the year A.U. 457, long before Diocles wrote, and at least a hundred years before Fabius. This tradition therefore is certainly the more ancient Roman one; and it puts Rome in connection with Alba. A monument has lately been discovered at Bovillae: it is an altar which the *Gentiles Julii* erected *lege Albana*, and therefore expresses a religious relation of a Roman gens to Alba. The connection of the two towns continues down to the founder of Rome; and the well known tradition, with its ancient poetical details, many of which Livy and Dionysius omitted from their histories lest they

<sup>3</sup> It is well known that there is in Stobæus (vii. 13) a poem upon Rome, which is ascribed to Erinna. But as Erinna composed her poems at a time when Rome cannot be supposed to have been renowned in Aëolia, commentators have imagined the poem to be a hymn on Strength. But Strength cannot be called a daughter of Ares; Strength might rather be said to be his mother. The poem belongs to a much later date, and proceeding on this supposition it may perhaps be possible for some one to discover the real name of the author. It certainly belongs to the period subsequent to the Hannibalian war, and was perhaps not written till the time of the emperors; but to me it seems most probable that the author was a contemporary of Sulla.—N.

<sup>4</sup> *Gensque virum truncis et duro robore nata.* Virgil, *Aen.* viii. 315.

<sup>5</sup> *Carm.* i. 2.

should seem to deal too much in the marvellous, runs as follows.

Numitor and Amulius were contending for the throne of Alba.<sup>6</sup> Amulius took possession of the throne, and made Rea Silvia, the daughter of Numitor, a vestal virgin, in order that the Silvan house might become extinct. This part of the story was composed without any insight into political laws, for a daughter could not have transmitted any gentilian rights. The name Rea Silvia is ancient, but Rea is only a surname: *rea femmina* often occurs in Boccaccio, and is used to this day in Tuscany to designate a woman whose reputation is blighted; a priestess Rea is described by Virgil as having been overpowered by Hercules. While Rea was fetching water in a grove for a sacrifice the sun became eclipsed, and she took refuge from a wolf in a cave where she was overpowered by Mars. When she was delivered, the sun was again eclipsed [and the statue of Vesta covered its eyes. Livy has here abandoned the marvellous. The tyrant threw Rea with her infants into the river Anio: she lost her life in the waves, but the god of the river took her soul and changed it into an immortal goddess whom he married. This story has been softened down into the tale of her imprisonment, which is unpoetical enough to be a later invention. The river Anio carried the cradle like a boat into the Tiber, and the latter conveyed it to the foot of the Palatine, the water having overflowed the country, and the cradle was upset at the root of a fig-tree. A she-wolf carried the babes away and suckled them;<sup>7</sup> Mars sent a woodpecker which provided the children with food, and the bird *parra*<sup>8</sup> which protected them from insects. These statements are gathered from various quarters; for the historians got rid of the marvellous

as much as possible. Faustulus, the legend continues, found the boys feeding on the milk of the huge wild-beast, he brought them up with his twelve sons, and they became the staunchest of all. Being at the head of the shepherds on Mount Palatine, they became involved in a quarrel with the shepherds of Numitor on the Aventine—the Palatine and the Aventine are always hostile to each other—Remus being taken prisoner was led to Alba, but Romulus rescued him, and their descent from Numitor being discovered, the latter was restored to the throne, and the two young men obtained permission to form a settlement at the foot of Mount Palatine where they had been saved.

Out of this beautiful poem the falsifiers endeavoured to make some credible story: even the unprejudiced and poetical Livy tried to avoid the most marvellous points as much as he could, but the falsifiers went a step farther. In the days when men had altogether ceased to believe in the ancient gods, attempts were made to find something intelligible in the old legends, and thus a history was made up, which Plutarch fondly embraced, and Dionysius did not reject, though he also relates the ancient tradition in a mutilated form. He says that many people believed in daemons, and that such a daemon might have been the father of Romulus; but he himself is very far from believing it, and rather thinks that Amulius himself, in disguise, violated Rea Silvia amid thunder and lightning produced by artifice. This he is said to have done in order to have a pretext for getting rid of her, but being entreated by his daughter not to drown her, he imprisoned her for life. The children were saved by the shepherd who was commissioned to expose them, at the request of Numitor, and two other boys were put in their place. Numitor's grandsons were taken to a friend at Gabii, who caused them to be educated according to their rank, and to be instructed in Greek literature. Attempts have actually been made to introduce this stupid forgery into history, and some portions of it have been

<sup>6</sup> Numitor is a praenomen, but the name Amulius does not shew that he belonged to the gens Silvia: I therefore doubt whether the ancient tradition represented them as brothers.—N.

<sup>7</sup> In Eastern legends, children are nourished with the marrow of lions.—N.

<sup>8</sup> Serv. on Virg. *Aen.* i. 274.

adopted in the narrative of our historians; for example, that the ancient Alban nobility migrated with the two brothers to Rome; but if this had been the case there would have been no need of opening an asylum, nor would it have been necessary to obtain by force the *connubium* with other nations.

But of more historical importance is the difference of opinion between the two brothers, respecting the building of the city and its site. According to the ancient tradition, both were kings and the equal heads of the colony; Romulus is universally said to have wished to build on the Palatine, while Remus, according to some, preferred the Aventine; according to others, the hill Remuria. Plutarch states that the latter is a hill three miles south of Rome, and cannot have been any other than the hill nearly opposite St. Paul, which is the more credible, since this hill, though situated in an otherwise unhealthy district, has an extremely fine air: a very important point in investigations respecting the ancient Latin towns, for it may be taken for certain, that where the air is now healthy it was so in those times also, and that where it is now decidedly unhealthy, it was anciently no better. The legend now goes on to say, that a dispute arose between Romulus and Remus as to which of them should give the name to the town, and also as to where it was to be built. A town Remuria therefore undoubtedly existed on that hill, though subsequently we find the name transferred to the Aventine, as is the case so frequently. According to the common tradition, the auguries were to decide between the brothers: Romulus took his stand on the Palatine, Remus on the Aventine. The latter observed the whole night, but saw nothing until about sunrise, when he saw six vultures flying from north to south, and sent word of it to Romulus, but at that very time the latter, annoyed at not having seen any sign, fraudulently sent a messenger to say that he had seen twelve vultures, and at the very moment the messenger arrived, there did appear twelve vultures, to which Romulus appealed.

This account is impossible; for the Palatine and Aventine are so near each other that, as every Roman well knew, whatever a person on one of the two hills saw high in the air, could not escape the observation of any one who was watching on the other. This part of the story therefore cannot be ancient, and can be saved only by substituting the Remuria for the Aventine. As the Palatine was the seat of the noblest patrician tribe, and the Aventine the special town of the plebeians, there existed between the two a perpetual feud, and thus it came to pass that in after times the story relating to the Remuria, which was far away from the city, was transferred to the Aventine. According to Ennius, Romulus made his observations on the Aventine; in this case Remus must certainly have been on the Remuria, and it is said that when Romulus obtained the augury he threw his spear towards the Palatine. This is the ancient legend which was neglected by the later writers. Romulus took possession of the Palatine. The spear taking root and becoming a tree, which existed down to the time of Nero, is a symbol of the eternity of the new city, and of the protection of the gods. The statement that Romulus tried to deceive his brother is a later addition; and the beautiful poem of Ennius, quoted by Cicero,<sup>9</sup> knows nothing of this circumstance. The conclusion which must be drawn from all this is, that in the earliest times there were two towns, Roma and Remuria, the latter being far distant from the city and from the Palatine.

Romulus now fixed the boundary of his town, but Remus scornfully leapt across the ditch, for which he was slain by Celer, a hint that no one should cross the fortifications of Rome with impunity. But Romulus fell into a state of melancholy occasioned by the death of Remus; he instituted festivals to honour him, and ordered an empty throne to be put up by the side of his own. Thus we have a double kingdom which ends with the defeat of Remuria.

The question now is, what were these

<sup>9</sup> *De Divinat.* i. 48.



two towns of Roma and Remuria ? They were evidently Pelasgian places : the ancient tradition states that Sicelus migrated from Rome southward to the Pelasgians, that is, the Tyrrhenian Pelasgians were pushed forward to the Morgetes, a kindred nation in Lucania and in Sicily. Among the Greeks it was, as Dionysius states, a general opinion, that Rome was a Pelasgian, that is a Tyrrhenian city, but the authorities from whom he learnt this are no longer extant. There is, however, a fragment in which it is stated that Rome was a sister city of Antium and Ardea ; here too we must apply the statement from the chronicle of Cumæ, that Evander, who, as an Arcadian, was likewise a Pelasgian, had his *palatium* on the Palatine. To us he appears of less importance than in the legend, for in the latter he is one of the benefactors of nations, and introduced among the Pelasgians in Italy the use of the alphabet and other arts, just as Damaratus did among the Tyrrhenians in Etruria. In this sense, therefore, Rome was certainly a Latin town, and had not a mixed but a purely Tyrrhenio-Pelasgian population. The subsequent vicissitudes of this settlement may be gathered from the allegories.

Romulus now found the number of his fellow-settlers too small ; the number of 3000 foot and 300 horse, which Livy gives from the commentaries of the pontiffs, is worth nothing ; for it is only an outline of the later military arrangement transferred to the earliest times. According to the ancient tradition, Romulus's band was too small, and he opened an asylum on the Capitoline hill. This asylum, the old description states, contained only a very small space, a proof how little these things were understood historically. All manner of people, thieves, murderers, and vagabonds of every kind flocked thither. This is the simple view taken of the origin of the clients. In the bitterness with which the estates subsequently looked upon one another, it was made a matter of reproach to the Patricians, that their earliest ancestors had been vagabonds ; though it was a common opinion, that the Patricians

were descended from the free companions of Romulus, and that those who took refuge in the asylum placed themselves as clients under the protection of the real free citizens. But now they wanted women, and attempts were made to obtain the *connubium* with neighbouring towns, especially perhaps with Antemnae, which was only four miles distant from Rome, with the Sabines and others. This being refused, Romulus had recourse to a stratagem, proclaiming that he had discovered the altar of Consus, the god of counsels, an allegory of his cunning in general. In the midst of the solemnities, the Sabine maidens, thirty in number, were carried off, from whom the curiae received their names : this is the genuine ancient legend, and it proves how small ancient Rome was conceived to have been. In later times the number was thought too small, it was supposed that these thirty had been chosen by lot for the purpose of naming the curiae after them ; and Valerius Antias fixed the number of the women who had been carried off at five hundred and twenty-seven. The rape is placed in the fourth month of the city, because the consualia fall in August, and the festival commemorating the foundation of the city in April ; later writers, as Cn. Gellius, extended this period to four years, and Dionysius found this of course far more credible. From this rape there arose wars, first with the neighbouring towns which were defeated one after another, and at last with the Sabines. The ancient legend contains not a trace of this war having been of long continuance ; but in later times it was necessarily supposed to have lasted for a considerable time, since matters were then measured by a different standard. Lucumo and Caelius came to the assistance of Romulus, an allusion to the expedition of Caeles Vibenna, which however belongs to a much later period. The Sabine king, Tatius, was induced by treachery to settle on the hill which is called the Tarpeian arx. Between the Palatine and the Tarpeian rock a battle was fought, in which neither party gained a decisive victory, until the Sabine women



threw themselves between the combatants, who agreed that henceforth the sovereignty should be divided between the Romans and Sabines. According to the annals, this happened in the fourth year of Rome.

But this arrangement lasted only a short time ; Tattius was slain during a sacrifice at Lavinium, and his vacant throne was not filled up. During their common reign, each king had a senate of one hundred members, and the two senates, after consulting separately, used to meet, and this was called *comitium*. Romulus during the remainder of his life ruled alone ; the ancient legend knows nothing of his having been a tyrant : according to Ennius he continued, on the contrary, to be a mild and benevolent king, while Tattius was a tyrant. The ancient tradition contained nothing beyond the beginning and the end of the reign of Romulus ; all that lies between these points, the war with the Veientes, Fidenates, and so on, is a foolish invention of later annalists. The poem itself is beautiful, but this inserted narrative is highly absurd, as for example the statement that Romulus slew 10,000 Veientes with his own hand. The ancient poem passed on at once to the time when Romulus had completed his earthly career, and Jupiter fulfilled his promise to Mars, that Romulus was the only man whom he would introduce among the gods. According to this ancient legend, the king was reviewing his army near the marsh of Caprae, when, as at the moment of his conception, there occurred an eclipse of the sun and at the same time a hurricane, during which Mars descended in a fiery chariot and took his son up to heaven. Out of this beautiful poem the most wretched stories have been manufactured ; Romulus, it is said, while in the midst of his senators was knocked down, cut into pieces, and thus carried away by them under their togas. This stupid story was generally adopted, and that a cause for so horrible a deed might not be wanting, it was related that in his latter years Romulus had become a tyrant, and that the senators took revenge by murdering him.

After the death of Romulus, the Romans and the people of Tattius quarrelled for a long time with each other, the Sabines wishing that one of their nation should be raised to the throne, while the Romans claimed that the new king should be chosen from among them. At length they agreed, it is said, that the one nation should choose a king from the other.

We have now reached the point at which it is necessary to speak of the relation between the two nations, such as it actually existed.

All the nations of antiquity lived in fixed forms, and their civil relations were always marked by various divisions and sub-divisions. When cities raise themselves to the rank of nations, we always find a division at first into tribes ; Herodotus mentions such tribes in the colonisation of Cyrene, and the same was afterwards the case at the foundation of Thurii ; but when a place existed anywhere as a distinct township, its nature was characterised by the fact of its citizens being at a certain time divided into *gentes* (γένεῖς) each of which had a common chapel and a common hero. These *gentes* were united in definite numerical proportions into *curiae* (φράτριάς). The *gentes* are not families but free corporations, sometimes close and sometimes open ; in certain cases, the whole body of the state might assign to them new associates ; the great council at Venice was a close body, and no one could be admitted whose ancestors had not been in it, and such also was the case in many oligarchical states of antiquity.

All civil communities had a council and an assembly of burghers, that is a small and a great council ; the burghers consisted of the guilds or *gentes*, and these again were united, as it were, in parishes ; all the Latin towns had a council of 100 members, who were divided into ten *curiae* ; this division gave rise to the name of *decuriones*, which remained in use as a title of civic magistrates down to the latest times, and through the *lex Julia* was transferred to the constitution of the Italian *municipia*. That this council consisted of one hundred persons has been proved

by Savigny, in the first volume of his history of the Roman law. This constitution continued to exist till a late period of the middle ages, but perished when the institution of guilds took the place of municipal constitutions. Giovanni Villani says, that previously to the revolution in the twelfth century there were at Florence 100 *buoni uomini*, who had the administration of the city. There is nothing in our German cities which answers to this constitution. We must not conceive those hundred to have been nobles; they were an assembly of burghers and country people, as was the case in our small imperial cities, or as in the small cantons of Switzerland. Each of them represented a gens; and they are those whom Propertius calls *patres pelliti*. The *curia* of Rome, a cottage covered with straw,<sup>10</sup> was a faithful memorial of the times when Rome stood buried in the night of history, as a small country town surrounded by its little domain.

The most ancient occurrence which we can discover from the form of the allegory, by a comparison of what happened in other parts of Italy, is a result of the great and continued commotion among the nations of Italy. It did not terminate when the Oscans had been pressed forward from lake Fucinus to the lake of Alba, but continued much longer. The Sabines may have rested for a time, but they advanced far beyond the districts about which we have any traditions. These Sabines began as a very small tribe, but afterwards became one of the greatest nations of Italy, for the Marrucinians, Caudines, Vestinians, Marsians, Pelignians, and in short all the Samnite tribes, the Lucanians, the Oscan part of the Brutians, the Picentians and several others were all descended from the Sabine stock, and yet there are no traditions about their settlements except in a few cases. At the time to which we must refer the foundation of Rome, the Sabines were widely diffused. It is said that, guided by a bull, they penetrated into Opica, and thus occupied the

country of the Samnites. It was perhaps at an earlier time that they migrated down the Tiber, whence we there find Sabine towns mixed with Latin ones; some of their places also existed on the Anio. The country afterwards inhabited by the Sabines was probably not occupied by them till a later period, for Falerii is a Tuscan town, and its population was certainly at one time thoroughly Tyrrhenian.

As the Sabines advanced, some Latin towns maintained their independence, others were subdued; Fidenæ belonged to the former, but north of it all the country was Sabine. Now by the side of the ancient Roma we find a Sabine town on the Quirinal and Capitoline close to the Latin town; but its existence is all that we know about it. A tradition states, that there previously existed on the Capitoline a Siculian town of the name of Saturnia,<sup>11</sup> which, in this case, must have been conquered by the Sabines. But whatever we may think of this, as well as of the existence of another ancient town on the Janiculum, it is certain that there were a number of small towns in that district. The two towns could exist perfectly well side by side, as there was a deep marsh between them.

The town on the Palatine may for a long time have been in a state of dependence on the Sabine conqueror whom tradition calls Titus Tatius; hence he was slain during the Laurentine sacrifice, and hence also his memory was hateful.<sup>12</sup> The existence of a Sabine town on the Quirinal is attested by the undoubted occurrence there of a number of Sabine chapels, which were known as late as the time of Varro, and from which he proved that the Sabine ritual was adopted by the Romans. This Sabine element in the worship of the Romans has almost always been overlooked,<sup>13</sup> in conse-

<sup>11</sup> Varro, L. L. v. (iv.) 42.

<sup>12</sup> Ennius calls him a tyrant in the well-known verse: *O Tite, tute, Tati, tibi tanta tyranni tulisti*.—N.

<sup>13</sup> I have spent many days at Rome in searching after the ancient churches, which were pulled down at the time when the town was splendidly rebuilt; but I never was able

quence of the prevailing desire to look upon everything as Etruscan; but, I

to see my way, until I read the work of a priest of the seventeenth century, who pointed out the traces of them which still exist; and I conceive that it was in a similar manner that Varro pointed out the sites of the Sabine

repeat, there is no doubt of the Sabine settlement, and that it was the result of a great commotion among the tribes of middle Italy.

chapels and *sacella* on the Quirinal and Capitoline,—N.

## LECTURE XVI.

THE tradition that the Sabine women were carried off, because there existed no *connubium*, and that the rape was followed by a war, is undoubtedly a symbolical representation of the relation between the two towns, previous to the establishment of the right of intermarriage; the Sabines had the ascendancy and refused that right, but the Romans gained it by force of arms. There can be no doubt that the Sabines were originally the ruling people, but, that in some insurrection of the Romans various Sabine places, such as Antemnae, Fidenae and others, were subdued, and thus these Sabines were separated from their kinsmen. The Romans, therefore, re-established their independence by a war, the result of which may have been such as we read it in the tradition—Romulus being, of course, set aside—namely, that both places as two closely united towns formed a kind of confederacy, each with a senate of 100 members, a king, an offensive and defensive alliance, and on the understanding that in common deliberations the burghers of each should meet together in the space between the two towns which was afterwards called the *comitium*. In this manner they formed a united state in regard to foreign nations.

The idea of a double state was not unknown to the ancient writers themselves, although the indications of it are preserved only in scattered passages, especially in the scholiasts. The head of Janus, which in the earliest times was represented on the Roman *as*, is the symbol of it, as has been correctly observed by writers on Roman antiquities. The vacant throne by the side of

the *curule* chair of Romulus points to the time when there was only one king, and represents the equal but quiescent right of the other people.<sup>1</sup>

That concord was not of long duration is an historical fact likewise; nor can it be doubted that the Roman king assumed the supremacy over the Sabines, and that in consequence the two councils were united so as to form one senate under one king, it being agreed that the king should be alternately a Roman and a Sabine, and that each time he should be chosen by the other people: the king, however, if displeasing to the non-electing people, was not to be forced upon them, but was to be invested with the *imperium* only on condition of the auguries being favourable to him, and of his being sanctioned by the whole nation. The non-electing tribe accordingly had the right of either sanctioning or rejecting his election. In the case of Numa this is related as a fact, but it is only a disguise of the right derived from the ritual books. In this manner the strange double election, which is otherwise so mysterious and was formerly completely misunderstood, becomes quite intelligible. One portion of the nation elected and the other sanctioned; it being intended that, for example, the Romans should not elect from among the Sabines a king devoted exclusively to their own interests, but one who was at the same time acceptable to the Sabines.

When, perhaps after several generations of a separate existence, the two

<sup>1</sup> Comp. above, page 78.

states became united, the towns ceased to be towns, and the collective body of the burghers of each became tribes, so that the nation consisted of two tribes. The form of addressing the Roman people was from the earliest times *Populus Romanus Quirites*, which, when its origin was forgotten, was changed into *Populus Romanus Quiritium*, just as *lis vindiciæ* was afterwards changed into *lis vindiciarum*. This change is more ancient than Livy; the correct expression still continued to be used, but was to a great extent supplanted by the false one. The ancient tradition relates that after the union of the two tribes the name *Quirites* was adopted as the common designation for the whole people; but this is erroneous, for the name was not used in this sense till a very late period. This designation remained in use and was transferred to the plebeians at a time when the distinction between Romans and Sabines, between these two and the Luceres, nay, when even that between patricians and plebeians had almost ceased to be noticed.<sup>2</sup> Thus the two towns stood side by side as tribes forming one state, and it is merely a recognition of the ancient tradition when we call the Latins Ramnes, and the Sabines Tities: that the derivation of these appellations from Romulus and T. Tatius is incorrect is no argument against the view here taken.

Dionysius, who had good materials and made use of a great many, must, as far as the consular period is concerned, have had more than he gives;

there is in particular one important change in the constitution, concerning which he has only a few words, either because he did not see clearly or because he was careless.<sup>3</sup> But as regards the kingly period, he was well acquainted with his subject; he says that there was a dispute between the two tribes respecting the senates, and that Numa settled it, by not depriving the Ramnes, as the first tribe, of anything, and by conferring honours on the Tities. This is perfectly clear. The senate, which had at first consisted of 100 and now of 200 members, was divided into ten *decuries*, each being headed by one, who was its leader; these are the *decem primi*, and they were taken from the Ramnes. They formed the college, which, when there was no king, undertook the government one after another, each for five days, but in such a manner, that they always succeeded one another in the same order, as we must believe with Livy, for Dionysius here introduces his Greek notions of the Attic *prytanes*, and Plutarch misunderstands the matter altogether.

After the example of the senate the number of the augurs and pontiffs also was doubled, so that each college consisted of four members, two being taken from the Ramnes and two from the Tities. Although it is not possible to fix these changes chronologically, as Dionysius and Cicero do, yet they are as historically certain as if we actually knew the kings who introduced them.

Such was Rome in the second stage of its development. This period of equalisation is one of peace, and is described as the reign of Numa, about whom the traditions are simple and brief. It is the picture of a peaceful condition with a holy man at the head of affairs, like Nicolas von der Flue in Switzerland. Numa was supposed to have been inspired by the goddess Egeria, to whom he was married in the grove of the Camenae, and who introduced him into the choir of her sisters; she melted away in tears at his death, and thus gave her name to the spring

<sup>2</sup> This is not my discovery: it belongs to the great president of the French Parliament, Barnabas Brissonius, from whom we may still learn much, although we may correct a great many trifling errors of detail into which he fell; but where should we now be, had there not been such men as Brissonius, Scaliger, and Cujacius? Brissonius however on the point here in question goes too far; for he wishes to emend every where: all exaggeration injures truth, and the consequence was, that many persons altogether refused to follow him because he often erred. The ingenious J. F. Gronovius opposed him, and referred to passages in Livy which were against him; but, as was remarked above, the erroneous expression was established previously to the time of Livy.—N.

<sup>3</sup> See Hist. Rom. vol. ii. pp. 179, 220, etc.



which arose out of her tears. Such a peace of forty years, during which no nation rose against Rome, because Numa's piety was communicated to the surrounding nations, is a beautiful idea, but historically impossible in those times, and manifestly a poetical fiction.

The death of Numa forms the conclusion of the first *saeculum*, and an entirely new period follows, just as in the Theogony of Hesiod the age of heroes is followed by the iron age; there is evidently a change, and an entirely new order of things is conceived to have arisen. Up to this point we have had nothing except poetry, but with Tullus Hostilius a kind of history begins, that is, events are related which must be taken in general as historical, though in the light in which they are presented to us they are not historical. Thus, for example, the destruction of Alba is historical, and so in all probability is the reception of the Albans at Rome. The conquests of Ancus Martius are quite credible; and they appear like an oasis of real history in the midst of fables. A similar case occurs once in the chronicle of Cologne. In the Abyssinian annals, we find in the thirteenth century a very minute account of one particular event, in which we recognise a piece of contemporaneous history, though we meet with nothing historical either before or after.

The history which then follows is like a picture viewed from the wrong side, like phantasmata; the names of the kings are perfectly fictitious; no man can tell how long the Roman kings reigned, as we do not know how many there were, since it is only for the sake of the number, that seven were supposed to have ruled, seven being a number which appears in many relations, especially in important astronomical ones. Hence the chronological statements are utterly worthless. We must conceive as a succession of centuries, the period from the origin of Rome down to the times wherein were constructed the enormous works, such as the great drains, the wall of Servius and others, which were actually executed under the kings, and rival the great architectural works of the Egyp-

tians. Romulus and Numa must be entirely set aside; but a long period follows, in which the nations gradually unite and develop themselves until the kingly government disappears and makes way for republican institutions.

But it is nevertheless necessary to relate the history, such as it has been handed down, because much depends upon it. There was not the slightest connection between Rome and Alba, nor is it even mentioned by the historians, though they suppose that Rome received its first inhabitants from Alba; but in the reign of Tullus Hostilius the two cities on a sudden appear as enemies: each of the two nations seeks war, and tries to allure fortune by representing itself as the injured party, each wishing to declare war. Both sent ambassadors to demand reparation for robberies which had been committed. The form of procedure was this; the ambassadors, that is the Fetiales, related the grievances of their city to every person they met, they then proclaimed them in the market place of the other city, and if, after the expiration of thrice ten days no reparation was made, they said: "We have done enough and now return," whereupon the elders at home held counsel as to how they should obtain redress. In this formula accordingly the *res*, that is the surrender of the guilty and the restoration of the stolen property, must have been demanded. Now it is related that the two nations sent such ambassadors quite simultaneously, but that Tullus Hostilius retained the Alban ambassadors, until he was certain that the Romans at Alba had not obtained the justice due to them, and had therefore declared war. After this he admitted the ambassadors into the senate, and the reply made to their complaint was, that they themselves had not satisfied the demands of the Romans. Livy then continues: *bellum in trigesimum diem dixerant*. But the real formula is, *post trigesimum diem*, and we may ask, Why did Livy or the annalist whom he followed make this alteration? For an obvious reason: a person may ride from Rome to Alba in a couple of hours, so that the detention of the Alban

ambassadors at Rome for thirty days, without their hearing what was going on in the mean time at Alba, was a matter of impossibility : Livy saw this, and therefore altered the formula. But the ancient poet was not concerned about such things, and without hesitation increased the distance in his imagination, and represented Rome and Alba as great states.

The whole description of the circumstances under which the fate of Alba was decided is just as manifestly poetical, but we shall dwell upon it for a while in order to show how a semblance of history may arise. Between Rome and Alba there was a ditch, Fossa Cluilia or Cloelia, and there must have been a tradition that the Albans had been encamped there; Livy and Dionysius mention that Cluilius, a general of the Albans, had given the ditch its name, having perished there. It was necessary to mention the latter circumstance, in order to explain the fact that afterwards their general was a different person, Mettius Fuffetius, and yet to be able to connect the name of that ditch with the Albans. The two states committed the decision of their dispute to champions, and Dionysius says, that tradition did not agree as to whether the name of the Roman champions was Horatii or Curiatii, although he himself, as well as Livy, assumes that it was Horatii, probably because it was thus stated by the majority of the annalists. Who would suspect any uncertainty here if it were not for this passage of Dionysius? The contest of the three brothers on each side is a symbolical indication that each of the two states was then divided into three tribes. Attempts have indeed been made to deny that the three men were brothers of the same birth, and thus to remove the improbability; but the legend went even further, representing the three brothers on each side as the sons of two sisters, and as born on the same day. This contains the suggestion of a perfect equality between Rome and Alba. The contest ended in the complete submission of Alba; it did not remain faithful, however, and in the ensuing struggle with the Etruscans, Mettius Fuffetius

acted the part of a traitor towards Rome, but not being able to carry his design into effect, he afterwards fell upon the fugitive Etruscans. Tullus ordered him to be torn to pieces and Alba to be razed to the ground, the noblest Alban families being transplanted to Rome. The death of Tullus is no less poetical. Like Numa he undertook to call down lightning from heaven, but he thereby destroyed himself and his house.

If we endeavour to discover the historical substance of these legends, we at once find ourselves in a period when Rome no longer stood alone, but had colonies with Roman settlers, possessing a third of the territory and exercising sovereign power over the original inhabitants. This was the case in a small number of towns for the most part of ancient Sicilian origin. It is an undoubted fact that Alba was destroyed, and that after this event the towns of the *Prisci Latini* formed an independent and compact confederacy; but whether Alba fell in the manner described, whether it was ever compelled to recognise the supremacy of Rome, and whether it was destroyed by the Romans and Latins conjointly, or by the Romans or Latins alone, are questions which no human ingenuity can solve. It is however most probable, that the destruction of Alba was the work of the Latins, who rose against her supremacy: whether in this case the Romans received the Albans among themselves, and thus became their benefactors instead of destroyers, must ever remain a matter of uncertainty. That Alban families were transplanted to Rome cannot be doubted, any more than that the *Prisci Latini* from that time constituted a compact state; if we consider that Alba was situated in the midst of the Latin districts, that the Alban mount was their common sanctuary, and that the grove of Ferentina was the place of assembly for all the Latins, it must appear more probable that Rome did not destroy Alba, but that it perished in an insurrection of the Latin towns, and that the Romans strengthened themselves by receiving the Albans into their city.

Whether the Albans were the first that settled on the Caelian hill, or whether it was previously occupied, cannot be decided. The account which places the foundation of the town on the Caelius in the reign of Romulus suggests that a town existed there before the reception of the Albans; but what is the authenticity of this account? A third tradition represents it as an Etruscan settlement of Caelus Vibenna. Thus much is certain, that the destruction of Alba greatly contributed to increase the power of Rome. There can be no doubt that a third town which seems to have been very populous, now existed on the Caelius and on a portion of the Esquilie: such a settlement close to other towns was made for the sake of mutual protection. Between the two more ancient towns there continued to be a marsh or swamp, and Rome was protected on the south by stagnant water; but between Rome and the third town there was a dry plain. Rome also had a considerable suburb towards the Aventine, protected by a wall and a ditch, as is implied in the story of Remus. He is a personification of the plebs, leaping across the ditch from the side of the Aventine, though we ought to be very cautious in regard to allegory.

The most ancient town on the Palatine was Rome; the Sabine town also must have had a name, and I have no doubt that, according to common analogy, it was Quirium, the name of its citizens being Quirites. This I look upon as certain. I have almost as little doubt that the town on the Caelian was called Lucerum, because when it was united with Rome, its citizens were called Lucertes (Luceres). The ancients derive this name from Lucumo, king of the Tuscans, or from Lucerus, king of Ardea; the latter derivation probably meaning, that the race was Tyrrheno-Latin, because Ardea was the capital of that race. Rome was thus enlarged by a third element, which, however, did not stand on a footing of equality with the two others, but was in a state of dependence similar to that of Ireland relatively to Great Britain down to the year 1782. But

although the Luceres were obliged to recognise the supremacy of the two older tribes, they were considered as an integral part of the whole state, that is, as a third tribe with an administration of its own, but inferior rights. What throws light upon our way here, is a passage of Festus, who is a great authority on matters of Roman antiquity, because he made his excerpts from Verrius Flaccus; it is only in a few points that, in my opinion, either of them was mistaken; all the rest of the mistakes in Festus may be accounted for by the imperfection of the abridgment, Festus not always understanding Verrius Flaccus. The statement of Festus to which I here allude, is, that Tarquinius Superbus increased the number of the Vestals, in order that each tribe might have two. With this we must connect a passage from the tenth book of Livy, where he says that the augurs were to represent the three tribes. The numbers in the Roman colleges of priests were always multiples either of two or of three; the latter was the case with the Vestal Virgins and the great Flamines, and the former with the Augurs, Pontiffs and Fetiales, who represented only the first two tribes. Previously to the passing of the Ogulnian law the number of augurs was four, and when subsequently five plebeians were added, the basis of this increase was different, it is true,<sup>4</sup> but the ancient rule of the number being a multiple of three was preserved. The number of pontiffs, which was then four, was increased only by four: this might seem to contradict what has just been stated, but it has been overlooked that Cicero speaks of *five* new ones having been added, for he included the Pontifex Maximus, which Livy does not. In like manner there were twenty Fetiales, ten for each tribe. To the Salii on the Palatine, Numa added another brotherhood on the Quirinal; thus we everywhere see a manifest distinction between the first two tribes and the third, the latter being treated as inferior.

<sup>4</sup> Namely 4 + 5, five being the plebeian number.—ED.

The third tribe, then, consisted of free citizens, but they had not the same rights as the members of the first two; yet its members considered themselves superior to all other people; and their relation to the other two tribes was the same as that existing between the Venetian citizens of the main land and the *nobili*. A Venetian nobleman treated those citizens with far more condescension than he displayed towards others, provided they did not presume to exercise any authority in political matters. Whoever belonged to the Luceres called himself a Roman, and if the very dictator of Tusculum had come to Rome, a man of the third tribe there would have looked upon him as an inferior person, though he himself had no influence whatever.

Tullus was succeeded by Ancus. Tullus appears as one of the Ramnes, and as descended from Hostus Hostilius, one of the companions of Romulus; but Ancus was a Sabine, a grandson of Numa. The accounts about him are to some extent historical, and there is no trace of poetry in them. In his reign, the development of the state again made a step in advance. According to the ancient tradition, Rome was at war with the Latin towns, and carried it on successfully. How many of the particular events which are recorded may be historical, I am unable to say; but that there was a war is credible enough. Ancus, it is said, carried away after this war many thousands of Latins, and gave them settlements on the Aventine. The ancients express various opinions about him; sometimes he is described as a *captator auræ popularis*; sometimes he is called *bonus Ancus*. Like the first three kings, he is said to have been a legislator, a fact which is not mentioned in reference to the later kings. He is moreover stated to have established the colony of Ostia, and thus his kingdom must have extended as far as the mouth of the Tiber.

Ancus and Tullus seem to me to be historical personages; but we can scarcely suppose that the latter was succeeded by the former, and that the events assigned to their reigns actually occurred in them. These events must

be conceived in the following manner. Towards the end of the fourth reign, when, after a feud which lasted many years, the Romans came to an understanding with the Latins about the renewal of the long neglected alliance, Rome gave up its claims to the supremacy which it could not maintain, and indemnified itself by extending its dominion in another and safer direction. The eastern colonies joined the Latin towns which still existed: this is evident, though it is nowhere expressly mentioned; and a portion of the Latin country was ceded to Rome, with which the rest of the Latins formed a connection of friendship, perhaps of isopolity. Rome here acted as wisely as England did when she recognised the independence of North America.

In this manner Rome obtained a territory. The many thousand settlers whom Ancus is said to have led to the Aventine, were the population of the Latin towns which became subject to Rome, and they were far more numerous than the two ancient tribes, even after the latter had been increased by their union with the third tribe. In these country districts lay the power of Rome, and from them she raised the armies with which she carried on her wars. It would have been natural to admit this population as a fourth tribe, but such a measure was not agreeable to the Romans: the constitution of the state was completed and was looked upon as a sacred trust, in which no change ought to be introduced. It was with the Greeks and Romans as it was with our own ancestors, whose separate tribes clung to their hereditary laws, and differed from one another in this respect as much as they did from the Gauls in the colour of their eyes and hair. They knew well enough that it was in their power to alter the laws, but they considered them as something which ought not to be altered. Thus when the emperor Otho was doubtful on a point of the law of inheritance, he caused the case to be decided by an ordeal or judgment of God. In Sicily, one city had Chalcidian, another Doric laws, although their populations, as well as their dialects, were greatly



mixed ; but the leaders of those colonies had been Chalcidians in the one case, and Dorians in the others. The Chalcidians moreover were divided into four, the Dorians into three tribes, and their differences in these respects were manifested even in their weights and measures.<sup>5</sup> The division into three tribes

<sup>5</sup> When the Achaeans spread over the Peloponnesus, Sicyon first adopted their *νόμιμα*, and its example was gradually followed by the

was a genuine Latin institution ; and there are reasons which render it probable that the Sabines had a division of their states into four tribes. The transportation of the Latins to Rome must be regarded as the origin of the plebs.

other towns, and thus the Doric laws almost disappeared. Attempts were made to compel Sparta also to abandon its old laws, but without success.—N.

## LECTURE XVII.

ALTHOUGH the statement that Ancus carried the Latins away from their habitations and transplanted them to Rome, as if he had destroyed their towns, cannot be believed because it is impossible, since the settlers would have been removed many miles from their possessions and would have left an empty country, yet it cannot be doubted that Ancus Martius is justly called the founder of the town on the Aventine. There arose on that spot a town which even to the latest times remained politically separated : it existed by the side of Rome but was distinct from it, not being included within the *pomoerium* so long as any value was attached to that line of demarcation.

In following the narrative as it has been transmitted to us, we now come to a period, which was probably separated by a great chasm from the preceding one. In the reign of Tarquinius Priscus, Rome appears in so different a light, that it is impossible to conceive him as the successor of Ancus, whose conquests were confined to a small space, and under whom Rome formed its first connection with the sea through the foundation of Ostia ; whereas under Tarquinius, things are mentioned of which traces are visible to this day. Tarquinius is described as half an Etruscan, the son of Damaratus by an Etruscan woman. His father is said to have been a Bacchiad, who in the revolution of

Cypselus quitted Corinth with his immense wealth, and went to Tarquinius. His property descended to his son L. Tarquinius, as his elder son Aruns had died previously, leaving a wife in a state of pregnancy, a circumstance of which the elder Tarquinius was not aware. This account is commonly believed to be of considerable authority, because Polybius, though a Greek, mentions Tarquinius as a son of Damaratus, and because chronology is supposed not to be against it. But this is only an illusion, because the time depends upon the correctness of the chronological statements respecting the Roman kings, according to which Tarquinius Priscus is said to have ascended the throne in the year 132 after the building of the city ; but if we find ourselves compelled to place him at a later period, the story of Damaratus and Cypselus, which may with tolerable certainty be referred to the thirtieth Olympiad, must fall to the ground. I have already remarked elsewhere, that the ancient annalists, with the sole exception of Piso, never doubted that Tarquinius Superbus was a son of Tarquinius Priscus, whence the time assigned to the latter must be utterly wrong ; his relationship to Damaratus is therefore impossible.

The story of Damaratus belongs to the ancient tradition respecting the connection between Greece and Etruria, and the civilisation introduced from the

former into the latter country. What Evander was to the Latins, that Damaratus was to the Etruscans or Tyrrhenians, as he is said to have made them acquainted with the Cadmean alphabet; and according to the most ancient Greek tradition he belongs to a period as remote as that of Evander. What caused him to be connected with Tarquinius Priscus was the fact of the ancient legend mentioning Tarquinii as the place where Damaratus settled, though it undoubtedly knew nothing of his belonging to the family of the Bacchiadae, which must be an addition made by later narrators, who every where endeavoured to connect the history of one country with that of another. The reason for making Damaratus proceed to Tarquinii may have been the fact that Tarquinii was an important city; but at the same time there is no doubt that a connection existed between Tarquinii and Corinth. It was formerly believed that the vases and other vessels found in Tuscany were of Etruscan origin; this idea was afterwards justly given up, but then a belief arose that such vases never existed in ancient Etruria. In our days vessels are dug out of the ground at Corneto, which perfectly resemble the most ancient Greek ones; I do not mean those which were formerly called Etruscan, but those actually found in Greece and belonging to the earliest times, especially the Corinthian ones, of which representations are given in Dodwell.<sup>1</sup> Pieces of such vases are found only in the neighbourhood of ancient Tarquinii; in all the rest of Tuscany scarcely one or two of them have been discovered; in the north-eastern part of the country, about Arezzo and Fiesole, the Arretinian vases of red clay with raised figures are of quite a peculiar form and very numerous, but do not occur any where on the coast. This artistic connection between Tarquinii and Greece, especially Corinth, is accounted for in the tradition by the statement that the artists Eucheir

and Eugrammus accompanied Damaratus from Corinth.

Now when it was observed that Tarquinius Priscus was referred to Tarquinii, and a comparison of this statement was made with the tradition that the solemn Greek worship had first been introduced by him into Rome, people at once said: This must be the work of an ancient Greek; they compared the Roman chronology, as it was laid down in the work of the pontiffs, with the chronology of Greece, a comparison which might be made after the time when Timaeus wrote his history. They soon found that the combination became possible, if Damaratus was represented as the father of Tarquinius. This Tarquinius Priscus or Lucumo is said to have gone to Rome with his wife Tanaquil, an Etruscan prophetess, because at Tarquinii he did not enjoy the full rights of a citizen. On his journey thither a marvellous occurrence announced to him that heaven had destined him for great things; many glorious exploits are ascribed to his reign; but our narratives here diverge: that of Livy is very modest, but another represents him as the conqueror of all the Etruscan towns. All this may be read in detail in Dionysius, and the accounts of it belong to the ancient Roman annals, so that Augustus caused these victories to be registered even in the triumphal *fasti* as three distinct triumphs and with certain dates, as we see from the fragments.<sup>2</sup> The Romans had the more reason to believe these statements, because Tarquinius Priscus was mentioned as the king who united the town of the Sabines to that of the Romans, and executed the gigantic works by which the valleys also were filled up.

The same tradition invariably calls Tarquinius Priscus, Lucumo; now this never was a proper name, but was the Etruscan title of a prince. Whenever the Romans wished to invent a

<sup>2</sup> The destruction of this monument is the fault of those who made it; they ought to have chosen a better material.—N.

<sup>1</sup> Classical Tour, ii. p. 195.—ED.

story about the Etruscans, they called the men Lucumo, Aruns, or Lars. The last probably signifies "king." Aruns was an ordinary name, as we know from the inscriptions on Etruscan tombs, in which we can distinguish the names though we do not understand a single word. I have examined all the Etruscan inscriptions; and have come to the conclusion that their language is totally different from Latin, and that only a few things can be made out by conjecture, as for example, that *ril avil* means *vixit annos*. Lucumo does not occur in these inscriptions, and the ancient philologers, such as Verrius Flaccus, knew that it was not a name. The Romans had several traditions about a Lucumo, who is connected with the history of Rome; one, for example, was a companion of Romulus. All these Lucumos are no other than Lucius Tarquinius Priscus himself, that is, tradition has referred to him all that was related of the others. Livy says that at Rome he assumed the name Lucius Tarquinius Priscus, a statement for which scholars have charged Livy with rashness: it is rashness, however, only on the supposition that he took *Priscus* in the sense of "ancient." But it may often have happened to Livy when writing his first book, that he composed his narrative with the conviction that it was not all literally true, and that something else might be understood by it. *Priscus* was a common name among the Romans; it occurs in the family of the Servilii and many others; Cato was called *Priscus* before he obtained the name *Cato*, that is, *Catus*, the prudent. I am satisfied that Tarquinius was connected with the town of Tarquinii only on account of his name, and that he was in reality a Latin. This opinion is supported by the mention of Tarquinii, who after the expulsion of the kings dwelt at Laurentum, and by the statement that Collatinus retired to Lavinium, which was a Latin town. Moreover, the whole story of the descent of Tarquinius Priscus from Damaratus is overturned by the fact that Cicero, Varro, and even Livy, acknowledged

the existence of a *gens Tarquinia*: and how totally different is a gens from a family consisting of only two branches, that of the kings and that of Collatinus! Varro expressly says: *Omnes Tarquinius ejecerunt ne quam reditionis per gentilitatem spem haberet*.

The desire also of accounting for an Etruscan influence upon Rome, contributed, independently of his name, towards connecting Tarquinius with Etruria. The Romans described Servius Tullius, who was an Etruscan, as a Latin of Corniculum, and made Lucius Tarquinius Priscus, who was a Latin, an Etruscan. Thus the whole account of his descent is a fable, and Tanaquil too is a perfect fiction, for the Romans gave this name to any woman whom they wished to characterise as Etruscan, it being a common name in Etruria, as we see in the inscriptions. In the ancient native tradition, Tarquinius was married to a Latin woman, Caia Caecilia, a name which must be traced to Caeculus, the founder of Praeneste. Her image was set up in the temple of Semo Sancus, for she was worshipped as a goddess presiding over female domesticity. This has a genuine national character; so much so that in the ancient legend the people are said to have rubbed off particles from the girdle of her brass statue, to be used as a medicine.

It is therefore historically certain that there was a Latin of the name of Tarquinius Priscus; but he most probably belonged to the Luceres, for whom he procured seats in the senate, one hundred being added, as *gentes minores*, to the two hundred senators who were called up by the king before the *gentes minores*. In the insurrection of Tarquinius against Servius Tullius, these additional senators were his faction. The reign of Tarquinius, as I have already remarked, is probably separated by a great chasm from the preceding period, for under him Rome presents quite a different appearance from what it had been before. The conquests ascribed to Ancus Marcius are confined to a very small extent of country: he made himself master of the mouth of the Tiber and fortified

Ostia. But after him a state of things is described by the historians, of which traces are still visible. Even at the present day there stands unchanged the great sewer, the *cloaca maxima*, the object of which, it may be observed, was not merely to carry away the refuse of the city, but chiefly to drain the large lake, which was formed by the Tiber between the Capitoline, Aventine and Palatine, then extended between the Palatine and Capitoline, and reached as a swamp as far as the district between the Quirinal and Viminal. This work, consisting of three semicircles of immense square blocks, which, though without mortar, have not to this day moved a knife's breadth from one another, drew the water from the surface, conducted it into the Tiber, and thus changed the lake into solid ground; but as the Tiber itself had a marshy bank, a large wall was built as an embankment, the greater part of which still exists. This structure, equalling the pyramids in extent and massiveness, far surpasses them in the difficulty of its execution. It is so gigantic, that the more one examines it the more inconceivable it becomes how even a large and powerful state could have executed it. In comparison with it, the aqueducts of the emperors cannot be considered grand, for they were built of bricks with cement in the inner parts, but in the more ancient work everything is made of square blocks of hewn Alban stone, and the foundations are immensely deep.

Now whether the *cloaca maxima* was actually executed by Tarquinius Priscus or by his son Superbus, is a question about which the ancients themselves are not agreed, and respecting which true historical criticism cannot presume to decide. But thus much may be said, that the structure must have been completed before the city encompassed the space of the seven hills, and formed a compact whole. This, however, was effected by the last king, and accordingly, if we wish to make use of a personification, we may say that the great sewer was built in the time of Tarquinius Priscus. But

such a work cannot possibly have been executed by the powers of a state such as Rome is said to have been in those times; for its territory extended from the river not more than about ten miles in breadth, and, at the utmost, from thirty to forty in length, which is not as large as the territory of Nürnberg: and this objection is the more weighty when we take into consideration all the difficulties of an age in which commerce and wealth had no existence. A period must therefore have been passed over in our histories, and we now all at once see Rome as a kingdom ruling far and wide, and quite different from what it had been before. Of this extensive dominion no mention is made by Livy, though he expresses his wonder at these architectural structures; he conceives that time still as the state of the city's infancy, and is therefore under the same erroneous belief as Cicero and all the later writers, namely, that the kingly period must be regarded as an age in which Rome was extremely weak. The statement of Dionysius, that the Etruscan towns, the Latins, and the Sabines paid homage to Tarquinius, might therefore seem to be more deserving of credit, but all the accounts of the manner in which this state of things was brought about, are so fabulous and fictitious, that it is evident they must have been manufactured by those who attempted to solve the mysterious problem; and we have no historical ground to stand upon. But in whatever way Tarquinius Priscus may have been connected with the Tuscan traditions about the conquests of Tarchon, we can with certainty say, that at that time Rome was either herself the mistress of a large empire, or was the seat of a foreign ruler; at any rate, Rome at one period was the centre of a great empire.

Another no less mysterious undertaking is ascribed to the reign of the same Tarquinius Priscus: he wanted, it is said, to double the Romulian tribes, that is, to add three new tribes with names derived from his own and those of some of his friends. This



plan was opposed by the augur Attius Navius, because the three tribes were inseparably connected with the auspices. The tradition probably did not run as Livy relates it, but as we read it in Dionysius, that Tarquinius himself cut through the whetstone, and in doing so injured his hand. The king now is said, not indeed to have formed three new tribes, but to have added new centuries to the ancient ones.<sup>3</sup> In this tradition, therefore, mention is made of the unalterableness of the tribes, and of the ruler's intention to double the population by the admission of new citizens, an intention which the ancient citizens opposed by an appeal to the sacred rites of religion. But we here see a ruler who is not a mere magistrate, but one who has it in his power to give weight to his authority : as far as the form was concerned he yielded, but he virtually introduced the change by forming second centuries. Centuries and tribes were originally identical, each tribe containing one hundred *gentes* ; but what these second centuries were, is quite uncertain. One supposition is, that, as many of the old *gentes* had become extinct, Tarquinius formed new ones ; supposing, for example, that those of the

Ramnes had thus been reduced to fifty, the king would have added fifty new *gentes* as *secundi Ramnes*, to complete the number one hundred. We have an example in the Potitii, who became extinct in the time of Appius Claudius, when, it is said, they still consisted of twelve families. The history of exclusive families shows how rapidly they become extinct : in Styria there were formerly 2000 noble families ; at present there scarcely exists a dozen : in the duchy of Bremen the nobles entitled to take part in the diet were within fifty years reduced to one half of their original number, only because they tolerated no marriages except among themselves. In Lüneburg the government was formerly in the hands of the houses (*gentes*), of whom at present only one remains. It is not impossible that Tarquinius may have united the remnants of the ancient *curiae*, and then supplied the number of the wanting *gentes*. What recommends this conjecture, is the fact that there continued to be some difference between the old and the new *gentes* ; the new centuries certainly had not so much influence as they would have had, if they had been constituted as separate tribes.

It is a very dangerous thing to seek for allegories in historical statements, and then to presume to derive from them historical facts. Thus as Ancus Martius was the creator of the plebs, and as Tarquinius is said to have been murdered by the Martii, we might infer that Tarquinius, who belonged to the Luceres, and had introduced them into the senate, perished in an insurrection of the plebeians. But this is a most hazardous conjecture, and for this reason I have not printed it in my history. In mentioning it here I rely on that confidence which a man may claim who has devoted himself to these investigations for eighteen years almost uninterruptedly, and who even before that time had with fondness spent many a year upon them. Do not mistake possibilities for historical results.

The tradition which represents Tarquinius as the acknowledged head of

<sup>3</sup> No ancient nation could change its division without altering its whole character. This is not the case in modern states, for when at Florence the small guilds were added to the seven great ones, it produced little change, and even if the number had been changed to twelve, it would have been of no consequence. But if in antiquity an Ionic nation, for example, which had four tribes, had assumed a different division, it would have been equivalent to a revolution, and could have been done only by entirely changing the character of the people. When the number of tribes at Rome had been reduced to twenty, and was afterwards raised to upwards of thirty, this was done because the inviolability of form had been given up in consequence of other circumstances. Cleisthenes is said to have increased the four Attic tribes to ten ; but I believe that he never divided the *demos* into ten tribes, and that the throwing together of the *demos* and the *politai*, which caused the four ancient tribes to disappear, took place at a later time. It is a singular fact, that we can describe the ancient Roman constitution with much more certainty than that of Athens at the same period, although the extant Attic historians lived scarcely a century after the great changes.—N.

the twelve Etruscan towns leads us to speak about the Etruscans. Of all the nations of antiquity they are perhaps the one concerning which the most different things have been said, though our materials are of the slenderest kind, and concerning which accordingly the greatest misconceptions have been formed. The impositions of such persons as Annius of Viterbo, Inghirami and others, are of the most impudent character, and yet have become the groundwork of many later productions: they misled Dempster, and through him Winckelmann was deceived. In the eighteenth century the Italians ceased indeed to forge documents, but with the greatest conceit they pretended to explain the inexplicable. Many Etruscan monuments with inscriptions exist, but few are large. Five years ago an altar was dug out which is covered on three sides with inscriptions; a cippus was found at Perugia, a coffin at Bolsena, etc. These monuments have been published either separately or in collections, particularly by Lanzi. Some works of art also bear inscriptions; to interpret them has a great charm, because if we could read them, a new light would be thrown upon our investigations. This has given rise to the confident assertions that they can be explained, and the most arbitrary interpretations have been put upon them. The Eastern languages and the Celtic have been resorted to for assistance, until at length Lanzi proceeded on the supposition that the Etruscan was a kind of Greek, and, contrary to all the rules of grammar, arbitrarily made out some bad Greek; with all our Etruscan monuments, we know nothing, and are as ignorant as we were of the hieroglyphics previously to the time of Champollion; nothing but large bilingual inscriptions can be of any assistance. We may say with certainty that the Etruscan has not the slightest resemblance to Latin or Greek, nay, not to any one of the languages known to us, as was justly remarked even by Dionysius. This passage of Dionysius has been intentionally overlooked, or its positive meaning has

been distorted into a conditional one. The Umbrian on the Eugubinian tables resembles Latin.

Dionysius states that the Etruscans looked upon themselves as an original people descended from no other race, and which called itself *Rasena*<sup>4</sup> and knew nothing of the names Tyrrhenians and Etruscans; nor of the Grecian traditions respecting them. But the Greeks had two distinct traditions about the Tyrrhenians, which they referred to the Etruscans: the one recorded by Hellanicus stated that Pelasgians from Thessaly had settled at Spina at the mouth of the Po, whence they proceeded across the mountains into Etruria; according to the second related by Herodotus, the Lydians, in the time of Atys, are said to have been visited by a famine, whereby a part of the people was obliged under Tyrrhenus to emigrate to Italy. This latter statement is controverted by Dionysius with that sound criticism which we sometimes meet with in his work, that neither the language nor the religion of the Etruscans bore any resemblance to that of the Lydians, and that neither the Etruscans nor the Lydian historian Xanthus were acquainted with it.<sup>5</sup> Dionysius here saw correctly, because he was not confined to books, but could judge from personal observation. The other tradition he treats differently; he does not give it up, but refers it to the Aborigines and not to the Etruscans. The Italian antiquaries, on the other hand, have either clung to the Lydian tradition, or referred the emigration of the Pelasgians from Thessaly to the Etruscans, and they say that the inhabitants of Cortona (Croton) were not at all different from the neighbouring tribes, notwithstanding the protestation of Herodotus. I can here give only the results of my investigations about the

<sup>4</sup> *Rasena*, probably not *Rasenna*; *Ras* is the root and *ena* the termination; as in *Por-sena*, *Caecina*; the Etruscans, like the Semitic nations, did not double the consonants.—N.

<sup>5</sup> C. O. Müller has shown that the work of Xanthus was undeservedly looked upon by the Greeks as spurious.—N.

Etruscans. In the new edition of the first volume of my Roman history, I have proved that the name Tyrrhenians was transferred by the Greeks to the Etruscans, just as we use the name Britons when we speak of the English, or Mexicans and Peruvians in speaking of the Spaniards in America, because the Britons, Mexicans and Peruvians originally inhabited those countries, although a new immigrating nation has established an order of things so entirely new that we perceive no more traces of an earlier condition than if it had not existed at all. The Tyrrhenians were a people quite different from the Etruscans, but inhabited the sea coast of Etruria, as well as the whole southern coast, as far as Oenotria, that is Calabria and Basilicata. These Tyrrhenians were Pelasgians just as much as those of Peloponnesus and Thessaly, and when we read in Sophocles of *Τυρρῆνοι Πελασγοί* in Argos, when according to Aeschylus, Pelasgus, son of Palaechthon, ruled in Argos, when according to Thucydides Tyrrhenians lived on mount Athos and in Lemnos, and according to Herodotus at the foot of Hymettus, we must recognise them everywhere as branches of the same stock. In the history of Asia Minor there is a gap beginning after the destruction of Troy, and we must fill it up by supposing that the Lydians, Carians and Mysians advanced from the interior towards the coast into the territory of Troy, and that the Maeonians and other Pelasgian tribes were partly subdued and partly expelled. The Maeonians, who are always distinguished from the *Λῦδians*, were likewise Tyrrhenians, and are so called by Ovid in the fable of Bacchus. These were the Tyrrhenians that gave their name to the western coast of Italy and to the Tyrrhenian sea, and whom the Romans called *Tusci*. Both names were afterwards transferred to the Rasena who descended as conquerors from the Alps. This view at once renders the account of Herodotus perfectly clear, and is now generally adopted both in Germany and England. The tradition in Herodotus is

a genealogy intended to explain how it happened that Lydians existed in Italy as well as in Lydia.

There is one difficulty, which though it does not weaken the evidence of my view, is nevertheless a surprising fact, namely, that after the Etruscan conquest of the Tyrrhenian country, the language of the Rasena is the only one that is found on the many monuments, and that we do not find a trace of inscriptions in a language akin to the Greek, such as we must suppose the Tyrrhenian language to have been. But in the first place, almost all the inscriptions have been discovered in the interior of the country, about Perugia, Volterra, Arezzo and other places, where the original population was Umbrian, and only a very few on the coast about Pisa, Populonia, Caere and Tarquinii; some more have lately been found at Tarquinii, but have not yet been published. We might also say, although no Tyrrhenian inscriptions *have* hitherto been found, still they may yet be discovered; but such an evasion is worth nothing. Under the rule of a conquering nation which imposes a heavy yoke on the conquered, the language of the latter frequently becomes quite extinct: in Asia and many other countries, it was the practice to forbid the use of the vernacular tongue, in order to prevent treachery. The Moors were, in many respects, mild rulers in Spain, and the country flourished under them; but in Andalusia one of their kings forbade the Christians to use the Latin language, under penalty of death, the consequence of which was that a hundred years later not a trace of it occurs. The whole Christian population of Caesarea spoke Greek down to the eighteenth century, when a pasha prohibited it, and after the lapse of thirty or forty years, when my father visited the place, not one of the inhabitants understood Greek. When the Normans conquered Sicily, the only languages spoken in the island were Greek and Arabic, and the laws were written in Greek as late as the time of the emperor Frederic II., but afterwards it disappears all at once. The

same thing happened in Terra di Lecce and Terra di Otranto, where afterwards the names were Italian, while the language of common life remained Greek, until 200 years later, in the fifteenth century, it died away. In Pomerania and Mecklenburg the Wendic language disappeared within a few generations, and that without an immigration of Germans, but merely because the princes were partial to the German language; the conquerors of Brandenburg forbade the use of Wendic under penalty of death, and in a short time nothing was spoken but low German. The Etruscans had quite an aristocratic constitution, and lived in the midst of a large subject country; under such circumstances it must have been of great importance to them to make their subjects adopt the Etruscan language.

The conquering Rasena must have come down from the Alps, since according to Livy and Strabo the Raetians as well as the other Alpine tribes, the Camuni, the Lepontii on the lake of Como, and others, belonged to the race of the Etruscans. No ancient writer has ever asserted that they withdrew from the plains into the Alps in consequence of the conquests of the Gauls, and it would be absurd to think that a people which fled before the Gauls from the plain of Patavium, should have been capable of subduing Alpine tribes, or should have been tolerated among them, unless the Alpine districts had before been in the possession of their kinsmen. There is a tradition, probably derived from Cato, that the Etruscans conquered 300 Umbrian towns; these towns must be conceived to have been in the interior of Tuscany, a part of which bore the name of Umbria for a long time after; and a river Umbro also is mentioned. The Etruscans therefore are one of the northern tribes that were pushed southward by the pressure of those early migrations of nations which are as well established in history as the later ones, although we have no written records of them; they were migrations like that which had pressed forward the Illyrians, in consequence

of which the Illyrian Enchelians about the fortieth Olympiad penetrated into Greece and plundered Delphi, as Herodotus relates. Such a migration must have driven the Etruscans from the north. They at one time inhabited Switzerland and the Tyrol; nay, there can be no doubt that the Etruscans in those countries experienced the same fate as the Celts in Spain, and that some tribes maintained themselves there longer than others. The *Heidenmauer* (the heathenwall) near Ottilienberg in Alsace, which Schweighäuser has described as one of the most remarkable and inexplicable monuments, is evidently an Etruscan work; it has exactly the character of the Etruscan fortifications, such as we find them at Volterra, Cortona, and Fiesole. Some have called this kind of architecture Gallic, but without any foundation, as we see from Caesar's description, as well as from other ruins and buildings in Gaul.

In central Italy there are two essentially different modes of fortification; the one consists of what are commonly called Cyclopean walls, formed of polygonal stones which are put together intentionally without any regular order; such a wall is raised around a hill so as to render it almost perpendicular, but on the top of the hill there is no wall; a path (*clivus*) accessible on horseback leads to the top, and there are gates both below and above. In this manner the Roman and Latin hills were fortified. The other kind of fortification is Etruscan: on the highest ridge of a hill difficult of access, a wall is built, not of polygons but of parallelipipeda of extraordinary dimensions and very rarely of square blocks; the wall runs along the ridge of the hill in all directions; such is the case at Volterra, and of the same kind is the above mentioned wall in Alsace. I do not place the construction of the latter in a very remote time, but conceive it to be the work of a tribe akin to the Etruscans, which long maintained itself in that country against the Celts; although I must add, that I should not like to refer to the wall in



question as an irrefragable argument for the existence of such a tribe in that district. Now the Etruscans first settled in twelve towns in Lombardy, extending to about the present Austrian frontier towards Piedmont (Pavia was not Etruscan), in the south from Parma to Bologna, and in the north from the Po to Verona; they then spread farther, and in the country south of the Apennines they either founded or enlarged twelve other towns, from which they ruled over the country. The common opinion is, that the Etruscans were a very ancient people in Italy, and I myself entertained this view for a long time; but in Tuscany they were not very ancient, and in the southern part of Tuscany, which now belongs to the papal dominion, they did not establish themselves till a very late period. Herodotus relates, that about the year of Rome 220 the unfortunate Phocaeans were conquered in a sea fight by the Agyllaeans of Corsica and the Carchedonians, and that those of them who were taken prisoners were stoned to death. When Heaven punished the Agyllaeans for this cruelty, they sent to Delphi, and Apollo ordered them to offer Greek sacrifices, and worship Greek heroes. Now all writers are unanimous in stating that Agylla bore this name as long as it was Pelasgian, and that afterwards the Etruscans called it Caere. We may with great probability, look upon Mezentius, the tyrant of Caere in the legend which Virgil with his great learning introduced into his poem, as the Etruscan conqueror of Caere; he afterwards appears as the conqueror of Latium, and demands for himself the tenth of its wine or even the whole produce of the vineyards. The Etruscan conquests belong to the period of the last kings of Rome, and are connected with the expeditions of the Etruscans against Cuma and into the country of the Volscians; they spread into these districts about the time between the sixtieth and seventieth Olympiads; according to Cato's statement, which is certainly of great weight, they founded Capua in the year of Rome 283. The

shortness of the time in which that town is said to have risen to greatness and declined again, which Velleius mentions as an objection, cannot render the fact improbable. Capua had after all existed for 250 years before it became great, and New York is a far more surprising instance of rapid growth. The flourishing period of this people therefore was the time when Hiero of Syracuse defeated them near Cuma, and they began to decline at the beginning of the fourth century of Rome; the Romans were then rising, and about the middle of that century the Gauls deprived the Etruscans of the northern part of their dominion, their possessions about the river Po.

When people began to perceive that the Alban origin of Rome could not be maintained, Rome was looked upon as an Etruscan colony, and I myself brought forward this opinion. It forms the ground-work of the first edition of my history, because I then considered the Albano-Latin origin to be erroneous; the Etruscan origin seemed to me to be confirmed by several circumstances, particularly by the statement of one Volnius in Varro, that the names of the earliest Roman tribes were Etruscan; and also by the observation that the secret theology of the Romans had come from Etruria, that the sons of the first ten in the Roman senate learned the religious laws in Etruria; and lastly, that the worship of Jupiter, Juno, and Minerva in the Capitol was probably of Etruscan origin. But an unbiassed examination afterwards convinced me that this theory was unfounded; that the two original elements of the Roman state were Latin and Sabine (though I do not wish to dispute the later addition of an Etruscan element), that Rome is much older than the extension of the Etruscans in those districts, and consequently that either the statement of Volnius is groundless, or the names of the tribes are of a more recent date than the tribes themselves, and lastly, the great influence of the Etruscans about the time which is commonly designated as the reign of Tarquinius

Priscus and Servius Tullius is perfectly sufficient to explain all the Etruscan institutions at Rome. No ancient writer ever speaks of an Etruscan colony at Rome. The only question now is, whether the Etruscans extended their dominion at so early a period, that even in the time of Tarquinius Priscus they were in possession of Tarquinii and the neighbouring places, or whether they did not begin to appear about and beyond the Tiber till the sixtieth Olympiad.

Before we proceed to describe the changes which took place in those times, we must give the history of the Etruscans as far as it is known, and add a sketch of the earliest constitution of Rome.

All we know of the history of Cuma is very obscure. Its foundation is assigned to a period more remote than that of any other Greek city in that district, which could not have been done had not Cuma ceased at an early period to be a Greek town and come into the hands of the Oscans, before people in that country began to write Greek. All towns undoubtedly had eras from their foundation, the fixed chronological data furnished by which were afterwards reduced to Olympiads; for it was not till very late that the Greeks began to reckon according to Olympiads. Timaeus (Olymp. 120—130) was the first who did so; Theophrastus did not. Now where a town like Cuma was lost to the Greeks, they had no trace of the era of its foundation, nor anything to take as a guide except the genealogies of its *ctistae* (*κτίσται*). When therefore, it was stated that this or that person had founded a town, they ascended genealogically backward to Troy and the heroes; and this is the reason why Cuma was thought to be 200 years older than the surrounding Greek towns: its era had been lost very early, but it was certainly not older than those of the other cities of similar origin. All that was known about Cuma probably existed in Neapolitan chronicles, of which Dionysius made use. His description indeed of the war waged by the Etrus-

cans against Cuma is mythical, for the Voltumnus is said to have flowed back towards its source and the like; but this is a secondary matter; Herodotus too is mythical, when he describes the destruction of the Carthaginian army which fought against Gelon, but the occurrence of the war itself is not on that account to be doubted. About the sixty-fourth Olympiad, the Cumans were in their highest prosperity and in possession of Campania; if therefore the Etruscans besieged Cuma at that time they must then have been a conquering nation, a fact which beautifully agrees with Cato's statement, that Capua existed only 260 years after its foundation, meaning that it then became an Etruscan colony. We thus obtain the period from 250 to 280 years after the building of Rome (according to our common chronology) as the time during which the Etruscans must have crossed the Tiber. Between A.U. 220 and A.U. 230, Herodotus represents Agylla as a town which consulted the oracle of Delphi; but that the Etruscans, who were so proud of their own religion, should have done so, is wholly inconceivable, more especially as there existed an inveterate hatred between Etruscans and Greeks; hence the Romans received from the *libri fatales* which were of Etruscan origin, the command to sacrifice a Greek man and woman and a Gallic man and woman.<sup>6</sup> This national hatred shows itself everywhere, as in Pindar and in the Bacchic fable, where things are said of the Tyrrhenians which must be referred to the Etruscans. The Etruscans accordingly appear on the Tiber much later than is commonly supposed; they gradually extended their sway, attained the height of their power, maintained it for two generations, and then declined with ever-increasing speed.

The early Etruscan history is scarcely known to us at all; in Tuscany we find twelve towns, perfectly independent of one another, yet at times united in common under-

<sup>6</sup> Liv. xxii. 57. It was not from the Sibylline books, as Plutarch says.—N.

takings. Each of these towns was governed according to custom by a king, but there is no trace in any of the Italian nations of hereditary monarchies such as we see in Greece; these towns moreover formed no artificial confederacy, but a league sometimes arose spontaneously, when they were assembled for common deliberation near the temple of Voltumna; they had also one priest, who presided over the whole nation. It seems probable—as the Romans did not understand the Etruscan language, we must take their statements with great caution—that in general enterprises one of the kings was chosen, whose sovereignty the other towns recognised, and to whom they gave up the ensigns of royalty; but this distinction does not appear to have always been the result of an election, the supremacy being often assumed by some one town; thus Clusium was the capital of Etruria in the war with Porsena. Our historians conceive Rome to have stood in the same relation to these Etruscan towns, which are said to have sent to Tarquinius Priscus, or, according to others, to Servius Tullius, the ivory throne and the kingly insignia. Neither story is historically true, but it is an indication that under her last kings Rome was at the head of a mighty empire, which was much larger than in the first 160 years of the republic; and of which Rome itself still preserves traces. It seems to have been recognised as the capital more particularly in relation to Etruria, but this is only a transitory circumstance which may have been changed several times even under the kings.

The Etruscans bear all the marks of an immigrating people, and were probably not much more numerous than the Germans, who at the beginning of the middle ages settled in Italy. The towns possessed the sovereignty, and in the towns themselves, the burghers. The territories of the towns were large, but had no influence; and it was this very oligarchical form of government which rendered Etruria weak by the side of Rome, since arms could not be put

into the hands of the people without danger.

Dionysius, who very carefully gives us the exact expressions of his authorities, says, that the magnates of the Etruscans assembled with their clients for war. Among the Romans, to enlist the clients was only a last resource when the plebeians refused to go out to fight. Other circumstances also suggest that Etruria was inhabited by clients under a territorial aristocracy. During the advance of the Gauls, when the people on the left bank of the Tiber deserted Rome, she attached to herself those on the right bank; Caere obtained the isopolity; and four new tribes were formed of those who during the war had deserted Veii and Falerii.<sup>7</sup> The history of the insurrection of Vulsinii also shews the people in the condition of subjects, as I have shewn in the first volume of my Roman history. The Vulsinians gave to their clients the constitution of a plebs in order to ward off the Romans; the plebs afterwards crushed their former masters, and the latter then threw themselves into the arms of the Romans, and allowed them to destroy their town. Such an oligarchy existed everywhere, whence we find so small a number of towns in Etruria, the whole country from the Apennines to Rome containing no more than twelve. The power of the nation therefore was only in the first stage of its development; there was no continuous and growing life, nor any elements of a national existence as among the Romans and Samnites, who evidently did not oppress the old Oscan population, but became one with it and even adopted its language. The Lucanians, on the other hand, who were a branch of the Sabines, stood in quite a different relation to the ancient Oenotrians, for otherwise the number of their citizens would have

<sup>7</sup> They were evidently not formed of *transfugae*, as Livy says, but of whole tribes which joined Rome in order to escape oppression; this is perfectly according to analogy, for only two tribes were formed out of the Volscians, and the same number also out of the Sabines.

been very different from that mentioned by Polybius. Opposite kinds of policy in these cases bear opposite fruits. The insurrection of the Brutians was nothing else than a revolt in which the Oenotrians, who had been clients even under the Greeks, broke their chains, when they came under new lords who treated them still more harshly. The Etruscans, notwithstanding their wealth and greatness, could not keep their ground against the Romans; their towns did not form a closely united state like that of the Latins, nay, not even like that of the Achæans, and in the fifth century of Rome, most of them laid down their arms after one or two battles; the only exception was that very Vulsinii where the clients had been changed into a plebs and which defended itself for thirty years. The Samnites resisted Rome for seventy years, but the Lucanians for only a very short time.

The Etruscans have been treated with great favour by the moderns, but the ancients shewed them little respect. Among the Greeks, very unfavourable reports were current about their licentiousness and luxurious habits, although in regard to art, justice was done them to some extent; the perfection of all the mechanical parts of art and the old-fashioned forms had a great charm; the *signa Tuscanica* were as much sought after in Rome as old pictures are now among ourselves.

The Etruscans were esteemed especially as a priestly people, devoted to all the arts of prophecy, especially from meteorological and sidereal phenomena, and from the entrails of victims: the art of discovering the future by augury was the peculiar inheritance of the Sabellian people. All this must surely be regarded as a wretched system of imposture. I will not deny that the observations of lightning led the Etruscans to interesting discoveries: they were aware of the lightnings which flash forth from the earth, and which are now acknowledged by naturalists, but were denied as late as thirty years ago. I am now less than formerly inclined to believe

that they were acquainted with conductors of lightning; such knowledge would not have been lost so easily; moreover it is not said that they attracted lightnings, but that they called them forth.

In history, the Etruscans shew themselves in anything but a favourable light; they were unwarlike and prone to withdraw from an impending danger by acts of humiliation, as in modern times so many states have done between the years 1796 and 1813. The descriptions of their luxurious habits may be exaggerated, but they are not without foundation; for nearly two centuries they lived in the most profound peace under the dominion of Rome and exempt from military service, except in extraordinary emergencies, as in the Hannibalian war; and it must have been during that period that they possessed the immense wealth and revelled in the luxuries of which Posidonius spoke.

The Etruscans also had annals, of which the emperor Claudius made use; and some few statements may have been taken from them by Verrius Flaccus and Varro. Their most celebrated hero is Caeles Vibenna, who is the only historical point, properly speaking, which we know in the history of the Etruscans. Caeles Vibenna is said by some to have come to Rome and to have settled on the Caelian hill; but according to others, who followed the Etruscan traditions, he died in Etruria, and his general, Mastarna, led the remnant of his army to Rome, where he is said to have named the Caelian hill after his own commander. Caeles always appears, in our accounts, as a *condottiere*, as an independent general of a gathered host, unconnected with the towns, just like the Catalonian hosts at the beginning of the fourteenth century, and the East Indians in the eighteenth. His subsequent fortunes are not known; but the emperor Claudius states, from Etruscan books, that his faithful general, Mastarna, having gone to Rome and settled on Mount Caelius, was received into the Roman state under the name



of Servius Tullius. This is possible enough, whereas the Roman tradition about Servius Tullius lies entirely within the sphere of the marvellous. The god of fire, it is said, appeared to Tanaquil in the ashes on the hearth, whereupon she ordered her maid to lock herself up there in bridal attire; the maid became pregnant and gave birth to Servius Tullius. As a sign of his descent from the god of fire, his head was surrounded by a fiery halo whenever, during his infancy, he was asleep; and in the conflagration of a temple his wooden statue which was within remained uninjured. Conceited expositors have cautiously attempted to give to this narrative also the appearance of history: many who think his descent from a servant maid inconsistent, make him the son of a noble of Corniculum, who is said to have died, leaving behind him his wife in a state of pregnancy, in which she was taken to the king's palace. Others say that his mother indeed was a servant, but his father a king; the fiery halo also is interpreted as a symbol of his precocious mind; *non latuit scintilla ingenii in puero*, as Cicero says. But the ancient poets were in earnest and did not mean any such thing. We have the choice; we may either leave the origin of Servius Tullius in obscurity, or believe that the Etruscan traditions are true. I am of opinion that Etruscan literature is so decidedly more ancient than that of the Romans, that I do not hesitate to give preference to the traditions of the former. As Tarquinius Priscus was represented to be an Etruscan, merely because it was clear that there existed an Etruscan element at Rome, which on account of his name was referred to Tarquinius, so people described Servius Tullius as belonging to another race, especially as Rome would not be indebted to an Etruscan for the important reforms ascribed to this king. But as they could not connect him with any distinct gens, they went back to mythology and represented him like Romulus as the son of a god, and like Numa as the husband of a goddess.

The mother is of no consequence to the son of a god.<sup>8</sup> We cannot, however, draw any further inferences; for the statement that he was an Etruscan and led the remnant of Caelus Vibenna's army to Rome is of no historical value. Livy speaks of a war with Veii, but only in a hasty manner, from which it is evident that he knew it to be a mere forgery in the *Fasti*.

In the tradition, Servius appears as a Latin who obtained possession of the throne not even by a regular election: to him are traced all the political laws, as all the religious laws are to Numa, a proof that neither of them appeared as an historical individual even to Livy. The gens Tullia, to which Servius must have belonged either by birth or by adoption, is expressly mentioned as one of the Alban gentes that settled on the Caelius, and accordingly belonged to the Luceres; thus we have here a king of the third tribe, or, since this tribe was closely connected with the commonalty, the throne is occupied by one of the commons who is said to have come from Corniculum. He obtained the sovereignty without an election, but was afterwards recognised by the *curiae*. Historical facts may be embodied in this tradition; but it is difficult to guess what legal relations were intended to be expressed by this story. Servius is important in three respects; he gave the city the legal extent which it retained down to the time of the emperors, though suburbs were added to it; he was the author of a constitution in which the plebs took its place as the second part of the nation; and he established an equal alliance with the Latins, who previously had been either in a state of war with, or of compulsory dependence on, Rome.

<sup>8</sup> The above passage respecting the Etruscan origin of Servius Tullius belongs to the lectures of the year 1826, but I was unwilling to suppress it, although further on (p. 119) we have a different view, taken from the lectures of the year 1828. The discussion here introduced may be compared with that in the *Rom. Hist.* vol. i. p. 385, etc., but the above is clearer and more definite.—ED.

In these respects, Servius is so important that we cannot help dwelling upon him. For the sake of greater clearness, I shall here treat of Tarquinius Priscus and Servius Tullius as if they were historical personages, their names representing men who though not known to us, really existed, and in fact serving the same purpose as  $x$ , the symbol of an unknown magnitude in mathematics; we shall thus, as I have already remarked, start from the earliest appearance of Rome previously to the change ascribed to Servius.

In its primitive form Rome was a town on the Palatine surrounded by a wall and ditch, with a suburb and a Sabine town on the Quirinal and the Tarpeian Hill. Rome grew out of the union of the two towns, whose united citizens were subsequently designated by the common name of Romans. Servius combined into one whole that which before was divided into parts, and enclosed the city on all sides with fortifications and walls no less than five miles in circumference. The accounts of this wall and moat are not fables; the wall was perfectly preserved as late as the time of Augustus and Pliny, so that there was no room for fiction. Dionysius, who generally derived his materials from books, cannot have been deceived here, for he must often have seen the wall, it being a common promenade for the Romans. Rome, then, in the time of Servius, was a city as large as Athens after the Persian war, and in our days would be accounted a place of considerable importance.

All modern states, with the single exception of the canton of Schwyz, in their governments and divisions have reference to territorial circumstances. Each town is divided into districts and wards; and in constitutional governments the representation is based upon these divisions; whoever lives in a district elects and may be elected in it. But the ancients viewed the soil only as the *substratum* of the state, which they were of opinion existed in the individuals, so that certain associations gave a different character to the relation

in which individuals stood to the state. Accordingly the state was divided into a number of associations, each of which again consisted of several families. Every one of these associations had its own assemblies, courts, religious rights, laws of inheritance and of other matters. Whoever belonged to one transmitted these peculiarities to his children, and wherever he might live, whether within or without the state, he always belonged to that association. But those who did not belong to it by birth, could be admitted only by a deviation from the rule, if the association permitted it. A person might be admitted into the state with all the rights which the ancients limited to the citizens as such, the rights, for instance, of acquiring landed property and of appearing in the courts of justice; and yet if he did not belong to an association, he was only a pale-burgher, that is, he could not be invested with any office and was not allowed to vote. This was the principle of the earliest states of antiquity, the power of the state in this particular being limited to giving civil rights, or the rights of a pale-burgher; the state could not order an association to receive this or that individual as a member. In many states even the associations themselves had no power to admit a person, as, for example, where there existed close castes, among which there was no right of intermarriage. Such an association, consisting of a number of families, from which a person may withdraw, but into which he either cannot be admitted at all or only by being adopted by the whole association, is a *gens*.<sup>9</sup> It must not be confounded with our *family*, the members of which are descended from a common ancestor; for the patronymic names of the gentes are nothing but symbols, and are derived from heroes.<sup>10</sup> I assume it

<sup>9</sup> The German word is *ein Geschlecht*. See p. 102.

<sup>10</sup> In what relates to the earliest times, antiquities and history cannot be entirely separated; the *commentarii pontificum* and also Livy and Dionysius set us the example in this respect.—N.

as a fact which for the present requires no proof, that the Roman division of the nation into *gentes* answered to the *γένη* of the Greeks, and to the *Geschlechter* among our ancestors; of this postulate the sequel of my exposition will furnish sufficient historical evidence. Let us first consider the nation respecting which we have more satisfactory information, I mean the Greeks. Their *γένη* were associations which notwithstanding their common name, are not to be regarded as families descended from the same ancestors, but as the descendants of those persons who, at the foundation of the state, became united into such a corporation. This is expressly stated by Pollux (undoubtedly on the authority of Aristotle), who says that the *gennetae* were named after the *γένη*, and that they were not united by common origin (*γένει μὲν οὐ προσήκοντες*), but by common religious observances (*ιερά*). We, further, have the testimony of Harpocration respecting the Homeridae in Chios; for he says that they formed a *γένος* which, according to the opinion of those learned in such matters, had no connection with Homer. These *γένη* moreover resemble the tribes of the Arabs; the Beni Tai are a body of 10,000 families, all of which cannot be descended from Edid Tai; in like manner, the clans of the Highlanders of Scotland were named after individuals, but regarded themselves as their relatives and descendants only in a poetical sense: there were no fewer than 5000 Campbells capable of bearing arms, who looked upon the Duke of Argyle as their cousin.

With regard to the Roman *gentes* we have no direct testimony like that of Pollux and Harpocration, that they were corporations without relationship; if we possessed Verrius Flaccus, we should undoubtedly learn something definite, but there is an important definition in Cicero's *Topica*: he there mentions the word *gentiles* as a difficult term to define, and it had become so, because time had wrought various changes in the original constitution of the *gentes*; in the time of Cicero they had lost much of their

former importance, and courts of justice had pronounced decisions respecting them. Cicero says: *Gentiles sunt qui inter se eodem nomine sunt. Non satis est. Qui ab ingenuis oriundi sunt. Ne id quidem satis est. Quorum majorum nemo servitutem servivit. Abest etiam nunc. Qui capite non sunt diminuti. Hoc fortasse satis est.* According to this, then, the Scipios and Sullas were *gentiles*, for they were *eodem nomine*, etc. Supposing a Cornelius had been assigned as a *nexus*, or been condemned to death on account of some crime, he would thereby have ceased to be a member of his gens, and have incurred what the English in feudal language termed a *corruption of blood*. If as an *addictus* he had children, they too were cut off, and did not belong to the gens. The addition *quorum majorum nemo servitutem servivit* excludes all *libertini* and their descendants, although they bore the gentile name of their *patronus*; but all *peregrini* might of course by common consent be admitted. The latter point, however, is probably an addition which was foreign to the ancient gentile law; for in my opinion there was at first no difference at all in regard to freedmen, they as well as the patrons belonged to the gens; but this was controverted, as we learn from the interesting suit of the patrician and plebeian Claudii (the Marcelli) about the property of a deceased freedman.<sup>11</sup> On that occasion, it was a *res judicata* by the comitia of the centuries, that the patrician Claudii could not succeed to the property in dispute; whence was afterwards derived the doctrine that the *libertini* did not belong to the gens.

Now in this definition there is not a single word about a common origin, a point which could not have been overlooked; and hence it follows that the Roman *gentes* were of the same nature as the Greek *γένη*. *Genus* and *gens* are moreover quite the same word; similar variations often occur in the ancient language, as *cliens* and

<sup>11</sup> It is mentioned in Cicero, *De Oratore*.

*clientus*,<sup>12</sup> *Campan*<sup>13</sup> and *Campanus*, and so also *Romans* and *Romanus*. The genitives *Romanum* and *Romanom* are formed from the old contracted nominative.

It was a peculiarity of the institution of gentes, that the state was divided by legislation into a fixed number of associations, each forming in itself a small state, with many peculiar rights; it is possible that the expressions *jus gentium* and *jura gentium* originally signified something else, and something far more extensive than we understand by them. The number of the gentes is always found to bear so peculiar a relation to the state, that it can never have been the result of chance. In Attica there were 360, a number which the grammarians very correctly refer to the division of the year or of the circle. The same thing occurs in Germany; at Cologne there were three orders each containing fifteen gentes; at Florence their number was thrice twenty-four, and in Dithmarsch thrice ten. Now at Rome there were probably thrice one hundred gentes, that is, three tribes each containing one hundred gentes, whence Livy calls them *centuriae*, not *tribus*. Between the division into tribes and that into gentes there usually existed another, which was called in Greece *φάτραι*, and at Rome *curiae*, answering to the *orders* at Cologne, and to the *classes* in the Lombard towns. These *curiae* were parts of a tribe, but comprised several gentes, probably always ten, for common religious purposes. As each gens had its own *gentilician sacra*—for *sacra familiarum*, which are sometimes mentioned by modern writers, did not exist among the Romans,—the membership of a *curia* implied special religious duties, and conferred the right of voting in the assemblies of the people. The ancients did not vote as individuals, but as corporations, whence it was

customary at Athens from the earliest times to levy armies and to vote according to *phylae* (tribes), four of which might be out-voted by six, although the number of individuals contained in the six might be much smaller than that of the four. The Romans went even further, as they did not vote according to tribes but according to *curiae*, the reason evidently being that at first the Ramnes and Titides alone were the ruling citizens; and to allow only these two to vote would have given rise to difficulties, since it might easily have happened, that one tribe wished a thing which the other rejected, whereby collisions would have been produced. But as each tribe was subdivided into curies, and the votes were given according to this division, that difficulty was removed, and one *curia* might decide a question; this regulation therefore was necessary previously to the admission of the third tribe to a share in the government. At a later time, we find that the order in which the *curiae* voted and the *praerogativa* were determined by lot, an arrangement which cannot have existed at first, since the Luceres as well as the two others might thereby have been chosen to strike the keynote. In this we have a glimpse of the innumerable stages through which the Roman constitution passed in its development; and it was this very gradual development which secured so long a duration to Roman liberty. The secret of great statesmen, who are met with as rarely as any other kind of great men, is the gradual development and improvement of the several parts of an actual constitution; they never attempt to raise an institution at once to perfection.

Thus the *curiae* stepped into the place of the tribes. In the reign of Tarquinius, the third tribe, composed of the *gentes minores*, was admitted to the full franchise. The gentes are so essential a part of the constitution, that the expressions were *gentes civium majores* and *minores*, just as *gentes civium patriciae* was the solemn expression for *patricii*. It is related that the senate, which till then had con-

<sup>12</sup> I have not been able to discover the form *clientus*, but the feminine *clienta* justifies us in assuming the existence of a masculine in *us*.—ED.

<sup>13</sup> Nonius, 486, 24; *Campan*, Plaut. *Trin.* ii. 4, 144; ed. Lind.—ED.



sisted of two hundred members, was increased by Tarquinius to three hundred by the admission of the *gentes minores*. This can mean nothing else than that he gave to the third tribe the full franchise, and admitted into the senate a number of persons corresponding to that of the *gentes*, for such is the natural course of things. At Cologne too, the second and third orders obtained access to offices later than the first. What Tarquinius did, was a great change in the constitution, which was thus completed for the first *populus*. The third tribe, however, was not at once placed on a footing of perfect equality with the others, its senators being called upon to vote

when those of the two other tribes had already done so; and there can be no doubt that their curies also were not permitted to vote until after the others. As regards the priestly offices, the members of the third tribe were admitted only to the college of the vestals. Wherever we find *duumviri*, they must be regarded as the representatives of the first two tribes; *triumviri* do not occur till a later period, and wherever they are patricians, they represent the three tribes. They are, however, often plebeian, and in this case are connected with the plebeian constitution, which I shall describe afterwards.

## LECTURE XVIII.

It is one of the most widely spread peculiarities of the earlier ages, and one of which traces have existed nearly down to our own days, that a distinction was made between the ancient and original citizens and those that were subsequently added to them. This distinction was inconsistent with the notions entertained in the eighteenth century, and has nearly everywhere been abolished. In the United States of America the native population is extremely small; the office of president indeed can be filled only by a native, but in nearly every other respect it is perfectly indifferent how long a person has been in the country: and no distinction is made between the descendants of the first colonists and persons who have just settled there. In antiquity, on the other hand, admission to the franchise was everywhere more or less difficult, whether the stranger spoke a different language or belonged to the same nation or even to the same tribe of the nation. In nations divided into castes, the admission is quite impossible, though the law is occasionally modified to favour a wealthy or powerful individual, as in the case of a Rajah who became a Brahmin

on condition of his causing a colossal golden cow to be made, large enough to allow him to creep in at one end and out at the other. In some parts of the world, even at this day, a stranger is prevented from performing civil acts, and from obtaining offices. The earliest constitution concerning which we have authentic information, though it is in part very obscure, is that of the Jews. They too had such a division; the nation consisted of ten tribes with unequal rights, corresponding to the tribes of the Romans; beside them stood those who had been admitted into the community of the Lord, that is the strangers. The Pentateuch expressly states that some nations were admissible, others not. The persons thus admitted into the community formed a multitude of people, who by religious consecration had become related to the Jews, but were neither contained in the tribes nor shared their rights. In later times, when the Jewish constitution becomes better known to us from contemporary records, the population is divided into Jews and Proselytes, and the latter again into Proselytes of righteousness

and Proselytes of the gate.<sup>1</sup> The former had politico-civil rights, but were excluded from civil honours; they might acquire land, make wills, marry Jewesses, and the like. The Proselytes of the gate were obliged to conform to the Jewish rites and were not allowed to act contrary to the ceremonial law, lest they might give offence to the Jews; but they did not participate in civil rights like the inhabitants of the country.

The same institutions, though obscurely described, existed in all the Greek constitutions: much that is untenable has been written about them, but if once rightly understood, they furnish a key to all ancient constitutions. In Greece, there existed from the earliest times, by the side of the sovereign body of citizens, an assembly of native freemen who enjoyed civil rights, but had not everywhere the connubium with the ruling people; they were protected by the state and might appear in the courts of justice, but had no share in the government. The condition of foreigners, freedmen, and slaves, who had no civil rights, was quite different, they being protected against injustice and oppression by taking a citizen as their guardian or patron. It was a very general notion that on the one hand a person might be a native and yet exercise civil rights only to a certain degree, and, on the other, that a stranger had no civil rights at all.

The body of Roman citizens was now extended; it was originally an aristocracy, only inasmuch as the subject people who lived in the neighbourhood stood to those citizens in the relation of clients, for otherwise no aristocratic relation is perceptible. But when Sabine and Latin communities became united with Rome in such a manner as to obtain full civil rights

and to be obliged to serve in the armies, there arose a class of persons who, in our German cities, were called *Pfahlbürger* (Pale-burgers), an expression which no one has correctly and clearly understood.<sup>2</sup> In Germany the word *Pahl* or *Pfahl* (Engl. *pale*; in Ireland the counties about Dublin are said to be *within the English pale*) signified the district in the immediate vicinity of a city; the free people who inhabited it did not in reality possess the rights of burghers, which were peculiar to the gentes (*Geschlechter*), but merely civil rights. The word was then gradually extended and applied to those strangers also who attached themselves to a country or city (the Greek *Isopolites*). The investigation of this subject, which is perfectly analogous to the origin of the Roman plebes, has given me much trouble, because in the sixteenth century those relations died away, and no accounts of them are anywhere to be found. In the fifteenth century the word *Pfahlbürger* still occurs; but in the sixteenth it is nearly obsolete. J. v. Müller did not understand it, and used it without attaching to it any definite idea. When a country district, or a town, or a knight, established such a connection with a city, two consequences followed: first they mutually protected one another in their feuds, and the strangers with their vassals might remove to the city where their civil rights were perfectly free, and where they also had their own courts of justice; but they did not form part of the ruling body; and in this respect they were distinguished from the gentes or *Geschlechter*, who exercised the sovereignty. Many Transiberine communities, both Latin and Sabine, entered into this relation with Rome, and formed settlements, especially on the Aventine. In describing this, the Roman historians speak as if Ancus had removed those people from their homes and given them settlements at Rome, a state of things which is inconceivable; for all the country around

<sup>1</sup> These points connected with the second temple have been discussed by no one but the great Selden, without whom I should know nothing about them, since the Rabbinical language and literature are unknown to me. Selden's reputation has very much decreased, at least in Germany; but it ought not to be so.—N,

<sup>2</sup> Schilter on Königshoven has some good remarks upon it.—N,

Rome was previously occupied, so that there they could not settle, and therefore they would have been obliged to take up their abodes at a distance of many miles from their fields. It is very possible, however, that a few of the highest rank were obliged to settle at Rome.

This pale-burghers' right was extended further and further: the multitude which enjoyed it did not yet form a corporation, but contained all the elements of one; they became so numerous at Rome and in the surrounding country, especially through the alliance with Latium under Servius Tullius, that the pale-burghers far surpassed the ancient population in numbers, formed the main strength of Rome, and were especially employed in war. With their increase the decrease of the burghers who married only among themselves kept pace.

In this manner arose the Roman plebes, in Greek δῆμος, and, as we call it, the commonalty. The demos comprised all those who had the lower franchise, and therefore owed obligations to the state, but had no rights except their personal freedom. Thus the same relation is expressed by the words δῆμος and πολῖται, as by *plebes* and *populus*, or *commonalty* and *burghers*, or lastly *commune* and *cittadini*.<sup>3</sup> I further believe that originally the city was not called πόλις but ἄστυ: πόλις like *populus* is a Tyrrhenian word, and both have the same meaning, *populus* being formed by reduplication from πόλις. The commonalty was the principal part of the population in all states as far as numbers are concerned; but its development did

not take place in antiquity in the same manner as in the middle ages. In the latter, the commonalty lived within the walls of a city; and they often, as was the case at Geneva, settled around the city (*cité* or the nucleus of a town), in what was called *bourg*, *borgo* or suburbs, and were thence called *bourgeois*. These suburbs in the course of time were fortified and obtained equal rights with the cities. In Germany the case was the same, the name only being different, for *burghers* and *Geschelechter* are identical, and towns were formed, especially after the tenth century, when peace had been restored to the world. Wherever in Gaul a *civitas* existed from the time of the Romans, it was called a *cité*; and where there was a royal villa, it often happened that a place sprang up in the vicinity under the protection of the king, and under the administration of the king's *major domus*. This is the original meaning of *ville*, as contradistinguished from *cité*. Hence in French towns a distinction is made between *la cité*, *la ville*, and *le bourg*. Where the commonalty sprang up within the walls, it had quite different elements. Throughout the Germanic states, strangers were, on the whole, more kindly treated than in ancient times or in France. The free settlers in the small Swiss cantons, as in Uri for example, were in reality oppressed commonalties; the inhabitants of St. Gervais were subjects of Geneva. Among the Slavonic nations, as at Novogorod, such settlers were called *guests*, and their condition was in many respects easier than that of the natives. In France, down to the time of the revolution, strangers were not able to make a will, and according to the *droit d'Aubaine*, the sovereign succeeded to their property if they were not naturalised. The same law also existed in England, where to this day foreigners cannot acquire landed property. In all the towns of the middle ages in which commerce was the principal occupation, the commonalty soon formed itself into guilds, which obtained their own presidents, and masters of the guild, as well as their own laws and

<sup>3</sup> These relations were so familiar to our ancestors, that in the old translation of Livy published at Mayence, *populus* is throughout translated by *Geschelechter*, and *plebes* by *commonalty*. There we meet with expressions such as this: "T. Quinctius was elected burgomaster from the *Geschelechter* and L. Genucius from the *commonalty*," where Livy has *populus* and *plebes*. This unsophisticated way of viewing things is the reason why the men of the sixteenth century, though without the learning which we require, yet comprehended many things quite correctly. It is only a few weeks since I found this out.—N.

courts : penal jurisdiction could be granted by the kings alone, and wherever it was exercised the guilds took part in it. The masters of the guilds at first appeared in the council only for the purpose of taking care that their rights were not trespassed upon ; but they soon became members of the council, and finally obtained the upper hand. This is clearly seen in the Italian towns, as, for instance, in the seven ancient guilds at Florence. During the feuds of the Guelfs and Ghibellines, the burghers were still the masters ; but soon after, about the time of Rudolph of Habsburg, the guilds everywhere had the ascendancy, in Italy in the thirteenth, and in Germany about the middle of the fourteenth century, as at Zürich, Augsburg, Strasburg, Ulm, Heilbronn, and the imperial cities of Suabia. During the period of transition, the burghers shared the government with the guilds ; wherever this was done, the union was brought about peaceably ; but where the burghers refused, it was effected by a bloody contest, which mostly ended in the destruction of the burghers, though the case was sometimes reversed, as at Nürnberg, where the guilds were oppressed.

The union of the burghers and the commonalty or guilds was called in Greece *πολιτεία*, in Italy *popolo*, the meaning of which is somewhat different from the Roman *populus*.<sup>4</sup> The distinction between the burghers and the commonalty went so far, that at Florence, for example, in the *palazzo vecchio*, and also on books, one sees a lily as the armorial bearing of the city, by the side of a red cross on a silver ground as that of the commonalty (*il commune*). The expression *il commune* may very easily mislead ; it does not denote the union between the two orders, but the commonalty, a fact to which Savigny has directed my attention ; at Bologna there is a *palatium civium* and a *pala-*

*tium communis*. The *Capitano del popolo* and the *Capitano di parte* at Florence are likewise difficult to understand. During the struggle between the Guelfs and Ghibellines, the *Capitano di parte*, that is, of the Guelfian party, drove the Ghibellines from the city : he was placed at the head of affairs, and the franchise of the others was suspended. The only *Capitano* of the burghers was now nevertheless called *di parte*.

Among the ancients, on the other hand, it was not the guilds within the walls that formed the commonalty, but the inhabitants of the country around the city, which consisted of different elements and embraced both the noblest and the lowest. It is therefore a most preposterous notion, that the plebes consisted of the poorer classes only. This error was caused by the imperfection of the language, such as it appears even in the writings of Plato and Aristotle, for the Greeks had only one word *δημος* to designate the burghers, the commonalty, the union of both, and, in short, the whole people as well as the populace, in contradistinction to the rulers. Dionysius knew the word *δημος* only as opposed to *βουλή*, and *ὄχλος* is the proper term for the mass of poor people. But even he is not free from misconception, which he transferred to Roman history, and as he is much more minute than Livy, in describing these relations he has led the restorers of ancient history to adopt quite erroneous notions. Livy, too, does not see clearly in the matter, but he has many passages, from which it is evident that the annalists whom he followed had taken the right view. A further cause of confusion arose from the distress and debts which are often mentioned as prevailing among the plebes, which, however, as we shall hereafter see, must be referred to debts arising solely from mortgages of landed proprietors. The plebes was distinct from and opposed to the *populus* ; the Romans in general divided all the fundamental powers in nature, as well as in the realm of spirits, into two parts, describing them as male and female ; for example, Vulcan and Vesta are fire,

<sup>4</sup> The investigations into the history of the Italian towns which I have made, throw great light upon the whole development of the Roman constitution.—N.



Janus and Jana the heavenly lights of sun and moon, Saturn and Ops the creative power of the earth, Tellumo and Tellus the earth as firm ground ; and in like manner, the complete state consists of *populus* and *plebes*, which together constitute the whole.

Within the territory of the ancient city, which extended about five miles on the road towards Alba, and the limits of which can be very accurately fixed, there<sup>5</sup> lived under the protection of the *populus* a number of clients (*cluentes*, from *cluere*, to listen). It was owing to a great variety of circumstances, that these clients came to be connected with their patrons, in the same manner as vassals were with their feudal lords, so as to be obliged to ransom them from captivity, to provide dowries for their daughters, and to defend them in all cases of need and danger. Some of them may have been ancient native Sicilians, who being subdued by the Cascans undertook those feudal obligations in order that their lives might be spared ; strangers may have settled in the Roman territory as aliens, and have chosen a Roman citizen as their guardian ; some also may have been inhabitants of those places which were obliged to take refuge under the supremacy of Rome ; slaves lastly who received their freedom

stood to their former masters in the relation of clients. This class of persons must have been ever on the increase so long as Rome was in a flourishing condition. The *asylum* in the ancient tradition must be referred to the *clientela*, for the clients had actually come together from all parts. But the free commonalties inhabiting the country districts were quite different : their origin was traced to the times of Ancus. Scaliger, by one of the most brilliant discoveries, found out that Catullus calls the Romans *gens Romulique Ancique*, where Romulus represents the burghers and Ancus the commonalty. The plebes now gradually increased, partly by the extension of the Roman dominion, and partly by the circumstance that, when a family of burghers became extinct and its former clients were without a feudal lord, they attached themselves to the commonalty ; many also joined the plebes in consequence of the alliances of Rome with free towns. Such relations, however, are in their origin imperfect, but become more and more clearly developed in the course of time : at first they were entirely local, and places like Tellene, Ficana, and Politorium, were undoubtedly at first quite isolated and without any regularly organised power. There can be no doubt, that a *populus* and a *plebes* existed in all the towns of Italy and also in the Greek colonies of southern Italy and Sicily, the constitution of which bears a strong resemblance to that of the Italian states, and sometimes even adopted the same names.

<sup>5</sup> I am sorry that I did not find this out while I was in Italy, for I had often been where that limit must have existed, without noticing it. It was not till last year that by a simple combination and with the assistance of Fabretti's map of the neighbourhood of Rome, I made the discovery.—N.

## LECTURE XIX.

PREVIOUSLY to the time of Servius Tullius, the country about Rome was not united with the state, at least probably united only through the king, that is, the inhabitants were obliged to obey the government, but were otherwise treated as perfect strangers; they did not even possess the *commercium*, that is, no patrician could acquire landed property in the country districts any more than a plebeian could at Rome. The same regulation has existed in many countries down to recent times, so that the landed property of a peasant could never be acquired by a nobleman: a very wise and salutary regulation, which unfortunately has been abolished, in consequence of the erroneous belief that it was a foolish restriction. It is still less conceivable that the plebeians should have possessed the legal right of contracting marriages with the patricians; the children of such marriages in all cases followed the baser side. The Mensian law<sup>1</sup> did not invent this, but was merely a re-enactment, determining more minutely what was to be done in difficult cases. But there now appeared a legislator, who, on the one hand, gave to the commonalty a constitution which was complete in itself, and on the other devised forms by which this commonalty became united with the whole body of burghers. The former part of his legislation has been entirely overlooked, and the latter appeared quite mysterious to Livy and Dionysius, so great had been the change of affairs since the days of Fabius, who still had a correct view of these matters, though only two hundred years had elapsed from his time. Let him who thinks that this is impossible look around himself: I believe that in this town [Bonn] there are not three, and at Cologne not ten persons, who can state precisely what the constitutions of these towns were two or three hundred

years ago, nay, not even what they were previously to the year 1794. Of this fact I satisfied myself in 1808, in conversation with a Frieslander who had devoted himself to historical pursuits, but was unable to give me any account of the constitution of his country before the French revolution. The same is the case at Brussels. In countries where the constitution has been little changed, as in England, it is easier to trace one's way back from the present to the past. It is scarcely credible how great a change two hundred years may bring about, and how distant the whole mode of thinking and living seems to be, when separated from us by some great event. Such was the case in Germany after the seven years' war: all German literature previous to that event presents to our minds a character of strangeness, whereas that of the period immediately succeeding seems to us as if it were more or less of yesterday. Such a crisis in literature and in the entire mode of thinking had taken place at Rome through the influence of Cicero; so that Livy, Virgil, and Horace, must have thought the authors of the preceding period as strange as we think those who wrote before Lessing and Goethe. The Julian law likewise had so completely changed many circumstances in the civil rights of the Latin allies, that the recollection of the preceding state of things was entirely obliterated. The new constitution was simple, and the ancient complicated institutions were no longer intelligible. Thus it becomes evident—and I beg of you to mark this well—that even ingenious and learned men like Livy and Dionysius did not comprehend the ancient institutions, and yet have preserved a number of expressions from their predecessors, from which we with much labour and difficulty may elicit the truth.

The statement of Dionysius, derived from Fabius, that Servius divided the

<sup>1</sup> Ulpian, *Fragm.* v. 8.—Ed.

city and the country forming the territory of Rome into thirty tribes, is an instance of what I mean. The division of such a territory was topical: it was not a peculiarity of the Romans, but is also found in Greece, where Cleisthenes took the *ager Atticus* as the basis for the division of the Attic nation. The whole was divided into a fixed number of parts; and in order to effect this, the legislator did not count the large towns, but took a convenient number, such as one hundred, into which the country was to be divided, so that some large places were cut up into parts, while smaller ones were combined into one. These divisions according to a fixed number were so universal among the Romans, that when Augustus divided the city into fourteen regions he did not count the *vici*, but assigned a definite number of *vici* to each region. Now the legislator whom we call Servius Tullius divided the city of Rome, in so far as it was inhabited by pale-burghers, into four, and the territory around it into twenty-six regions. This must be looked upon as true: but to prove that this statement of Fabius is correct would lead me too far. Here it must be observed, that the existence of a *populus* nearly always presupposes the existence of a *plebes* as its counterpart, and accordingly a *plebes*, though unimportant, must have existed even before the time of Ancus. Each of the three towns, *Roma*, *Quirium*, and *Lucerum*, had its own commonalty; these commonalties and the settlers on the Esquilinae under Ancus form the four city tribes; the first or *Palatina* corresponds to the Palatine, the second or *Collina* to the Quirinal, the third or *Suburana* to the Caelius, the Carinae and Subura, and the fourth or *Esquilina* to the Esquiline and Viminal. This arrangement must have been made before the building of the wall of Servius Tullius, as is clear from the existence of the Esquilina. The division was purely geographical, and not at all connected with certain families; the territory was the basis, so that the inhabitants of a certain district

formed an association of peasants (*Bauernschaften*). It cannot surprise us to find such associations of peasants within the city, for at Antwerp some of the streets of the extended city are still called by a name (*Burschaften*) which indicates that originally they were inhabited by associations of peasants which formed themselves by the side of the ancient city. Such a division resembles our political divisions based on locality and domicile, but there is this difference, that ours are not permanent: so long as, e. g. I live at Bonn, I am a citizen of Bonn, but I should cease to be so if I were to remove to Cologne. When this division was made at Rome, every one received a name from the region in which he lived, but when he changed his abode he did not thereby cease to belong to the local tribe corresponding to the region in which he and his descendants were registered. I do not mean to say that a change was impossible, but all important changes belong to a time when the tribes had acquired quite a different and much greater importance than they had at first.<sup>2</sup> During the first generation, matters may have remained as they were established by the legislator, but in the course of time changes must have taken place, as people did not always continue to reside in the same district.

The names of the country tribes were originally derived not from the districts but from heroes, who were *eponymes* both for the tribes and the burghers; for it was evidently the object of this legislation to amalgamate the different elements of the people; and the recollection of former times, when those places had been independent, was to be effaced by the thought that they were Romans. They obtained common *sacra* like the tribes of the burghers, as is expressly mentioned by Dionysius, for in antiquity sacred rites were always a bond of union. The

<sup>2</sup> In the canton Schwyz, likewise, the country people were divided into four quarters, in which they were enrolled and of which they remained members although they might take up their abode in another quarter.--N.

fact of the plebeian tribes having *sacra* is also established by the circumstance, that Tarquinius Superbus expressly forbade them. Every tribe or region in the city was subdivided into *vici* and those of the country into *pagi*, and each of these *vici* or *pagi* had its own magistrate, as every tribe had its *tribunus*. Regulations of the same kind were in force at Athens; when, for example, a person was enrolled at Acharnæ and removed to Sunium, he still remained an Acharnian. As these tribes in the earliest times all possessed equal privileges, there was no motive for wishing to be enrolled in another tribe; but afterwards when there arose a difference of political rank among the tribes, of which I shall speak hereafter, matters were changed; the city tribes became inferior to the country tribes, and to be removed from the latter to the former was a *nota ignominiae*, a practice which may be dated from the censorship of Fabius Maximus. The tribes contained only plebeians, the patricians being comprised in the *curies*, which also included their clients. When a person became a Roman citizen without the suffrage, he was not received into a plebeian tribe, nor was it possible to be admitted by isopolity or by manumission, and consequently he could not be invested with any office, nor vote in the assembly. The qualification for voting in a plebeian tribe consisted in being a landed proprietor and agriculturist; whoever supported himself by any other occupation was excluded.

In this manner the legislator constituted the two corporations of the patricians and plebeians: he might have united them in two assemblies, as in modern states, but this was impracticable in those early times, as the two corporations regarded each

other with hostile feelings. In order to effect an accommodation, Servius created the *centuries*, like the *concilio grande* at Venice, in which, as soon as they entered the hall, all were equal, poor or rich, every one being in simple attire. The object of the centuries was to unite the patricians and plebeians, as well as those who sprang up by the side of the latter and occupied their former position; and at the same time to exclude those who had no landed property, and could therefore give no guarantees to the state. The centuries accordingly contained the whole of the first estate; of the second, those who had the right of voting; of the third, those whose property was equal to that of the second; and lastly, persons engaged in certain honourable occupations. The statements of Livy and Dionysius have caused great confusion in this part of Roman history, as they conceived the tribes differed only in rank and property; they believed that the old citizens, that is the patricians, were divided into curies and were perfectly equal among themselves, but they imagine that this was an oppressive democracy which Servius Tullius abolished by the introduction of the centuries. It is the same error as that into which Sismondi has fallen, who fancies that the Italian towns, on their first appearance in history, were under a democratic government: a monstrous mistake! Had the Roman historians attentively studied the ancient law-books, these things certainly could not have remained obscure to them; but after all, we ourselves have not fared better, for it is now scarcely fifty years since Möser published his first works, stimulated by which we have at length begun to have a clear perception of the early institutions of our own country.



## LECTURE XX.

ACCORDING to the primitive institutions, the burghers<sup>1</sup> served not only on horseback, as was the case afterwards, but also on foot; the same was originally the case in the German cities. These burghers at first had nothing in common with a nobility. We may assume that each gens furnished one horseman and ten foot soldiers; hence the statement in Plutarch that the city at first consisted of about a thousand families. This looks very historical, but such additions, as *about* and the like, in Plutarch, Dionysius and other writers of later times, are meant as softeners of colours which appear to them too glaring; the statement is indeed very ancient, but is a symbolical representation of a legal relation rather than an historical fact. Rome in the earliest times contained one hundred gentes, and consequently one thousand foot soldiers, each of whom was considered to have been furnished by a family.<sup>2</sup> Along with these the country districts sent their contingents, which were probably levied according to the townships. The new legislation reformed the phalanx, exempted the burghers from the obligation to serve on foot, and made them serve on horseback with particular privileges. As the whole burthen of forming the infantry now devolved upon the commonalty or plebeians, 'corresponding privileges were granted to them, and thereby also the means of maintaining their freedom. Thus the population was divided into cavalry and infantry, the commonalty, however, not being excluded from the former. The infantry of all European nations in ancient times resembled the Greek phalanx. It was a mass which produced its effects

by its irresistible onset: the men were armed with pikes, with which they advanced against the enemy in eight, ten, or twelve ranks. Barbarians did not fight in close masses, and the Asiatics were only archers. When, as at Rome, the soldiers were drawn up ten men deep, those in the rear were of course less exposed and did not require the same protection as those in front: when they properly closed their shields they needed no coat of mail, and the last rank not even greaves. Some also were light troops or slingers, who threw lead and stones. Every one in the infantry was obliged to equip himself at his own expense and in proportion to his property, the wealthier having to provide themselves with full armour, while those of small means were only required to serve as slingers. When a war was protracted, gaps arose, and after an unsuccessful battle, the first lines might be much thinned, so that a complement became necessary: in such circumstances those standing behind put on the armour of the slain, and stepped into their places. In all campaigns, however, there was also a reserve in case of need. These were the three elements of the Roman army: the *legion* properly so called, the *light-armed*, and lastly the *reserve*, which took the place of those who had advanced from the hindmost lines to supply the place of those who had fallen in front.

Servius thus regarded the whole nation, *populus* and *plebes*, as an army, *exercitus vocatus*; but when this army marched against an enemy, it further required carpenters to build bridges, erect tents, and the like, and musicians; the former were constituted as one, and the latter as two centuries; and this addition really completed the army or *classis*.<sup>3</sup> These three centuries

<sup>1</sup> The German word here is *ein Geschlechter*, which in early times, as in the Chronicle of Cologne, denotes a person belonging to a *Geschlecht*.—N.

<sup>2</sup> I have neglected to explain this in my history.—N.

<sup>3</sup> In the account of the battle of Fidenæ, Livy is much puzzled by this word: the

did not consist of plebeians, for no plebeian was allowed to engage in any other occupation than agriculture; if he did, he renounced his order, and the censors erased his name from his tribe (*capitis deminutio*), which, however, was not originally attended with any disgrace. There existed at Rome from the earliest time certain guilds, the institution of which was ascribed to Numa: their number was three times three, pipers, goldsmiths, carpenters, dyers, saddlers, tanners, copersmiths, potters; and the ninth included all other kinds of artificers. The object of this undoubtedly was, to give to the city trades a corporative existence, as in the middle ages; but, as the persons contained in these centuries were usually freedmen and foreigners, the object of whose ambition was to quit these associations and become enrolled in a tribe, the guilds never attained any high degree of prosperity. At Corinth they were of greater importance. By this division into centuries, the plebeians were connected both with the patricians and the *aerarians*; carpenters and musicians, who were of so much consequence in war, had special centuries assigned to them, whereby they obtained the same rights as would have belonged to them if they had served in the army as plebeians. The carpenters, in consideration of their importance, were ranked with the first class, and the musicians with the fifth.

Lastly Servius also took notice of those free people who did not belong to the commonalty. Many of them undoubtedly entered the service either by compulsion or of their own accord; for I cannot believe that the *capite censi* and the *proletarii* did not perform any service at all; they did not fight against the enemy, but served only in the baggage train, as *lixæ* and *calones*,

who there is no reason for supposing were always slaves.

Servius thus had a perfectly organised army, which with the addition of the cavalry he made the representative of the nation. He composed the cavalry of the three ancient double tribes or six centuries of Tarquinius Priscus, and to them he added twelve other centuries of the plebes, consisting of the most distinguished persons of the commonalty. Those six centuries comprised the entire patrician order, which on the whole certainly had a small number of votes, but as we shall hereafter see, it had a preponderance in other respects: among them there was perfect equality, and no difference was made on account of age, each century having one vote. Within the plebeian order Servius Tullius separated the more noble and wealthy into two classes, the first consisting of those who had formerly belonged to the Latin nobility, and the second of those who had not. To the class of nobles he assigned the twelve remaining equestrian centuries, and this without any regard to their property, except that those who had become quite impoverished were probably omitted. This is a point which you must bear in mind; for, according to the prevalent opinion based upon an incorrect expression of Cicero (*censu maximo*), the members of these twelve centuries are said to have been the wealthiest among the plebeians. Had the *equites* been the wealthiest then as they were after the Hannibalian war, how senseless would the constitution have been! There would have been no division of property between 1,000,000 sesterces, the sum fixed for this class after the Hannibalian war, and 100,000; whereas, from the latter sum downwards, there appear a number of divisions. We have moreover the express testimony of Polybius, that the property qualification of the *equites* was something new and opposed to the ancient notions, according to which, descent was the determining point. Lastly, another proof is contained in the testimony that the censors could distinguish a

ancient annalist had the phrase *classibus certare*, which Livy mistook for *fleets*, and hence he expresses a doubt as to the possibility of an engagement between two fleets in the narrow river Tiber; but the phrase merely meant a battle between two armies in full armour.—N.

plebeian by enrolling him among the equites, a fact which excludes classification according to property. Under Augustus, things certainly were different; for at that time the most distinguished men could not become equites without a certain amount of property.

Now what is to be understood by *census*? Among ourselves, every kind of property and all rights which can be estimated in money would be included in it. But among the Romans it was different; and it must be regarded as an undoubted fact, that the census affected only *res corporales*, that is substantial objects, and not *res incorporales*, such as debts. If, for example, I have a piece of land worth fifty thousand *asses*, and owe ten thousand to another person, my property in reality amounts to only forty thousand *asses*; but such things were not taken into account in the census of the ancients, and debts were not noticed at all. This very important and decisive point has not been attended to by the earlier writers on Roman history, because they were not men of business. We must not regard the census as a property-tax, but as a land-tax or a complex of direct taxes: certain objects were estimated according to prescribed formulæ, at a particular value; and a certain percentage was paid on that estimate. In the Dutch part of Friesland, lands were valued in pounds, and upon these pounds a certain tax was levied; hence a piece of land was called *pondemate*. The Roman census then comprised all property in land, and undoubtedly also all *res mancipi*; but I am convinced that nothing was paid on outstanding debts, even though they might constitute the property of the richest man at Rome. The Attic census, on the other hand, was a real property-tax. The consequence was, that at Rome the whole mass of moveable property possessed very little influence; for the wealthiest capitalist might be entirely free from taxes, landed property having to bear all the burthens, but at the same time enjoying all the privileges: in this point the census accurately corresponds

to our direct taxes, in imposing which likewise no notice is taken of any debts with which the property in land may be burthened.

All those Romans who were not contained in the equestrian centuries, were divided into such as possessed more than 12,500 *asses*, and those whose census did not come up to that sum. The former were subdivided into five classes; among them were no patricians, but all those plebeians whose census amounted to the specified sum, and the aerarians, that is, those who were not contained in the tribes, but whose property placed them on an equality with them; the aerarians were now what the plebeians had been before, and, if they acquired landed property, they were enrolled in a tribe. The first class comprised all those who possessed 100,000 *asses* or upwards, and their property might consist of land, metal, agricultural implements, slaves, cattle, horses and the like: it was divided into eighty centuries. All persons from the age of sixteen to forty-five were counted as *juniore*s, those from forty-five to sixty as *seniore*s. At Sparta a man was liable to serve in the army till his sixtieth year; but at Rome, the *seniores* had no other duty than to defend the walls of the city. The *seniores* undoubtedly did not form one half of the whole population; for under the favourable circumstances of a southern climate, they could hardly have amounted to more than one third or more accurately to two sevenths; all persons alive above the age of forty-six may perhaps have been no more than one half the number of the *juniore*s. There is every probability that at that time all civil rights and civil duties ceased with the sixtieth year. In Greece, a higher value was set upon the abilities of old age; among the Melians, the whole government was entrusted to the hands of the old men above sixty. Although the *seniores* at Rome were in number only about half as many as the *juniore*s, yet they had an equal number of votes with them, and probably voted first.

The remaining four classes were valued at 75,000, 50,000, 25,000, and 12,500 *asses* respectively. The second, third, and fourth, had each twenty, and the fifth, thirty centuries. One hundred thousand *asses* were not a large property, being about the same value as 10,000 *drachmae* at Athens, one *as* being about  $3\frac{1}{2}$  farthings English. In the army, each century served in a fixed proportion, so that a century which contained a smaller number of citizens performed a greater proportionate amount of military service than the more numerous ones. It was a combined levy from the tribes and the centuries. Within the thirty tribes, one man was always called up from each century of the *juniiores*, so that each century furnished thirty men. Each succeeding class had to furnish a greater number of troops, in such a manner, that while the first furnished a single contingent, the second and third had each to furnish a double one, the fourth a single one, employed as dartsmen, and the fifth again served with a double contingent.

The object of the constitution, based as it was upon property, would have been completely lost, unless the first class had had a preponderance of votes. The centuries in the lower classes became larger in the number of persons contained in them, in proportion as their property decreased, so that of thirty-five citizens possessing the right of voting, six only belonged to the first class. Dionysius is here perplexed in the detail, but he had before him a distinct statement that the summing up was made according to property.

All those whose taxable property did not amount to 12,500 *asses* were again sub-divided into two sections: those who possessed more than 1500 *asses* still belonged to the *locupletes*; those who had less were called *proletarii*, that is persons exempt from taxes: they formed one century. The *locupletes* embraced all the plebeians except the *proletarii*, and were so far quite equal among themselves; but between them and the *proletarii* there was a gulf; any *locuples*, for example,

might in a court of justice be surety for another person, but not so a *proletarian*: it is clear that those only could be *vindices* with sums of money, who could prove from the registers of the censors that they possessed such money; there is moreover no doubt that only *locupletes* could be chosen by the praetor as *judices*, or come forward as witnesses, as is proved by the expression *locupletes testes*. The *proletarians* therefore belonged to quite a different category, but whether they were at that time allowed to vote in the plebeian tribes is uncertain.

Such was the constitution of the centuries of Servius, respecting which Livy differs from Dionysius, and both again from Cicero's statement in the second book *De Re Publica*; but this passage, though very corrupt, may be emended. The sum total is 195 centuries, of which 170 belonged to the five classes, two of the *locupletes* or *assidui* (the *accensi* and *velati*), two of the *proletarians* (the *proletarii* in a narrower sense, and the *capite censi*), the three centuries of the trades, and lastly the eighteen equestrian centuries, six consisting of patricians and twelve of plebeians. The passage of Cicero has given rise to several conjectures, all of which are erroneous, as, for example, that of the celebrated Hermann; but if a person is familiar with such investigations, all may be made clear by the Roman numerical combinations, which I have developed. The object of the whole institution was, that the minority should have a decisive influence,<sup>4</sup> wealth and birth having all the power; for the eighteen equestrian centuries and the eighty centuries of the first class were first called upon to vote; if they agreed on any question it was decided at once, as they formed the majority of centuries, though they contained by far the smaller number of citizens. Among persons of the same class again it was the minority which decided, because the forty centuries of the *seniores* contained far fewer voters than the *juniiores*.

\* The Abbé Sieyès, it is true, has said, *la minorité a toujours tort*.—N.



If this institution had had the meaning assigned to it by the historians, it would have been highly unjust towards the patricians, who surely still formed a considerable part of the nation. These historians did not see that the patricians did not belong to the classes at all—their presence in the centuries being only a representation, and consequently only of symbolical importance—but they merely said that the patricians probably voted with the wealthy, that is in the first class; now the patricians were by no means wealthy according to the census, since they possessed the floating capital only, not the allodia. But the alleged injustice did not exist, for the centuries stood to the *curies* in the same relation as the House of Commons stands to the House of Lords. No election nor law was valid, unless when sanctioned by the *curies*, which sanction is implied in the expression *ut patres auctores fierent*; the centuries moreover could not deliberate on any subject which had not been proposed by the senate, and no member of a century had the right to come forward and speak; which right was certainly possessed by the members of the *curies*. In the assemblies of the tribes, the discussion of subjects proposed by the tribunes seems indeed to have been permitted, until the votes were taken; but this permission was probably not often made use of. The power of the commonalty in the centuries was thus extremely limited; it was merely one step towards republican freedom. At that time the assembly of the tribes had nothing to do with the framing of laws; they could only elect their own officers and make arrangements concerning their local interests; there may have been among them regulations respecting the poor, for bread was distributed under the superintendence of their aediles at the temple of Ceres; but their most important power was conferred upon them by Servius Tullius, who granted to the plebeians the right of appeal to the assembly of the tribes against sentences of punishment pronounced by a magistrate upon disobedient individuals. The privilege of an

appeal to the *curies* had long been possessed by the patricians.

The laws of Servius Tullius may have contained far more than we know, but Tarquinius Superbus is said to have completely abolished them, that is, they were not found in the *jus Papirianum*. It is stated that there were fifty laws. How far the equalisation of the two estates was carried is uncertain; but the exclusive right of the patricians to the domain land, and the pledging of a creditor's person, are said to have been abolished. It is more certain that the legislator intended to lay down the kingly dignity and to introduce the consulship in its stead, so that the *populus* and *plebes* should each be represented by a consul, an idea which was not realised till one hundred and fifty years later by the Licinian law. Servius looked upon himself as a *νομοθέτης* like Lycurgus or Solon. This change in the form of government would have been easy, for the kings themselves were only magistrates elected for life, like the stadtholder in Holland, or the President in the United States, who is elected for four years; and such constitutions seem to have been very frequent among the early Italian nations. The election of two consuls appears to have been prescribed in the commentaries of Servius Tullius;<sup>5</sup> but it was not carried into effect, either because his life was taken away too early or because he himself deferred it. Tanaquil is said to have entreated him not to renounce the throne nor to forsake her and hers. What is ascribed to Servius Tullius was not entirely accomplished by this king, but occasioned the revolution of Tarquinius Superbus. Although Servius is stated to have reigned forty-four years, still Livy mentions only one war, that against Caere and Tarquinii, which was brought to a close in four weeks. Dionysius, too, relates no particulars that have even an appearance of truth. The time of his reign is much too long in our accounts, and it was probably very short.

<sup>5</sup> Livy says: *duo consules creati sunt ex commentariis Servii Tullii*.—N.

The same legislator is said to have permanently settled the relations between Rome and the Latins. The report is, that he concluded an alliance with the latter and induced them to erect a common sanctuary on the Aventine, in which the tables of the league were set up, and in which Rome offered a sacrifice, a circumstance which, as Livy says, was a *confessio rem Romanam esse superiorem*. The investigation into the condition of the Latin people is one of the most difficult: at first every thing seemed to me to be a mass of confusion, and it was only step by step that I began to see clearly. It is a mistake of the ancients, which I shared with them till very recently, that Servius acquired the supremacy over the Latins; for this was not gained till the time of Tarquinius, and the very writers who ascribe it to Servius afterwards relate the same thing of Tarquinius. The foundation of the festival of the *Feriae Latinae* on the Alban mount was from very early times attributed to Tarquinius Priscus or Superbus, but a more correct view entertained also by some of the ancients is, that it originated with the Prisci Latini. If the head of the Latins offered up the sacrifice there, and the Romans merely participated in it, it was natural that in order to represent the equality of the two nations a counterpoise should have been formed on the other side, where Rome had the presidency and where the Latins were only guests. This was effected in the temple of Diana on the Aventine; the Latins subsequently, after recovering their independence, transferred this national property to a grove near Aricia. In former times, Alba had been a sovereign city; afterwards the Romans and Albans were united in friendship as two distinct peoples, and under Servius they joined each other in a federal union with a common sacrifice. This confederacy existed not only between the Romans and Latins, but also with the Sabines, and formed a great state, of which Rome was the centre, and there is no doubt that a portion of Etruria also was subject to it. This

league we regard as the work of Servius, a view which recommends itself by its simplicity, and removes the above-mentioned contradiction. At the time when the plebeians became citizens, the Latins approached the Romans more closely, and stepped into the position which the plebeians had just quitted: so long as there existed any life in the Roman people, we find a constant advance of those elements which had been added to it, and as soon as an old element decayed, the nearest succeeded to its place; those who were first allied were first admitted into the state and formed into plebeian tribes. In this manner the whole of the Roman constitution was in the perpetual enjoyment of a renewed vitality, never stopping in its development. The Roman people ever refreshed and renewed itself, and Rome is the only state, which down to the fifth century constantly returned to its own principles, so that its life was ever becoming more glorious and vigorous, a feature which Montesquieu regards as the only true movement in the life of states. At a later period checks were employed to repress that which was coming into existence, and then life began to withdraw and symptoms of decay became visible. Traces of this state of things appeared even a hundred years before the time of the Gracchi; in their age it broke out and continued to increase for forty years, until it produced the war of the allies and that between Sulla and Marius, from which the people came forth as a disorderly multitude, which could no longer exist in republican unity, but necessarily required the absolute authority of a ruler. It is not difficult to say how Rome might have renewed and preserved herself for a few centuries longer: the road to happiness lay open, but selfish and foolish prejudices blinded the Romans, and when they were willing to strike into the right path it was too late.

Respecting the gradual extension of the city, the most different opinions are current, which in the common works on Roman topography, such as that of Nardini, form the greatest

chaos. Order, however, may be introduced into it. We must take into consideration that the form of these statements is not the same in all writers; for one account says that under this or that king a particular hill was built upon, another that it was included in the city, and a third again that the inhabitants of the hill were admitted to the franchise. The result of my investigations is as follows: The ancient city of Rome was situated on the Palatine; the *pomoerium* of Romulus mentioned by Tacitus ran from the Forum Boarium across the Circus as far as the Septizonium, S. Gregorio, the arch of Constantine, the *thermae* of Titus, and thence back through the *via sacra* past the temple of Venus and Roma; this whole circumference formed the suburb around the ancient city, and was not enclosed by a wall but by a mound and a ditch. At that time there existed on the Quirinal and the Tarpeian rock a Sabine town, which likewise had its *pomoerium*; between the two mounds and ditches ran the *via sacra*, in which stood the *Janus Quirini* or *Bifrons*, a gateway on one side facing the Roman and on the other the Sabine town; in times of peace it was closed, because then intercourse between the two towns was not desired; but in times of war it was opened, because the cities were allied and obliged to assist each other. An instance perfectly analogous to this exists in the Gaetulan town of Ghadames beyond Tripolis, which is inhabited by two hostile tribes; it is divided by a wall into two parts, connected by a gate in the wall, which is closed during peace and opened during war.<sup>6</sup> The Caelian hill was included in the city according to some by Romulus, according to others by Tullius Hostilius, and according to others again by Ancus Martius; but the fact is, that the hill, which had been inhabited before, was under Ancus united

with the city by means of a ditch, the *fossa Quiritium*, running from the ancient ditch of the *pomoerium* as far as the *porta Capena*; this ditch, the first extension of Rome, was made partly for draining off the water, partly for the purpose of protection. The soil there contains too much water to favour excavations, otherwise the most beautiful antiquities would be found in the Circus: the obelisk was dug out thence in the sixteenth century. The *acqua Marrana* is not the *acqua damnata* of Agrippa: in the ancient Circus there was a canal which drew off the water. It is there that we have to seek the *septem viarum vicus*, where Ancus made the ditch, perhaps as far as the sewers (*cloacae*). On the Esquiline likewise there was a suburb. But the Roman and Sabine towns were as yet separated by the Forum, which was then a swamp. The whole district of the Velabrum was still part of the river or a lake, and until it was drained, a topical union of the two towns was impossible. The Janus was the only road, and probably formed a dike.

The works ascribed to Tarquinius Priscus, the immense sewers or *cloacae*, consisting of one main arm and several branches, were executed for the purpose of effecting this union of the two towns. The main arm (*cloaca maxima*), of very ancient architecture, is still to be seen, and still conveys the water into the river: its innermost vault is a semicircle, eighteen palms<sup>7</sup> in width, and is enclosed in two other stone vaults of *peperino* (a volcanic stone from the neighbourhood of Gabii and Alba), one above the other, in the form of semicircles. The hewn blocks are all  $7\frac{1}{2}$  palms long and  $4\frac{1}{8}$  high; they are fixed together without cement, and are kept in their places by the exactness with which they fit to one another in forming the vault. In the course of 2000 years, the whole structure has not sustained the trace of a change, and earthquakes, which destroyed the city and upset obelisks, have left it unshaken; so that we may assert that it will last till the end of

<sup>6</sup> This fact is related by Lyon, *Narrative of Travels in Northern Africa*, London, 1821, 4to, p. 162. The two tribes inhabiting the town are the Beni Walid and Beni Wasid; but according to Lyon's account, the gate in the wall is closed in time of war.—Ed.

<sup>7</sup> A Roman palm is about nine inches.—N.

the world. This is the work which rendered it possible to give to Rome its subsequent and final limits: the whole quay is built of the same kind of stones, and shews the same architecture.

The other sewers begin between the Quirinal and Viminal, and run along under the Forum Augustum, the Forum Romanum, and the Forum Boarium to the Velabrum and *cloaca maxima*; they are equally well preserved, but lie deep below the surface of the earth. They were discovered in the time of pope Benedict XIV. They are executed in the same gigantic style, but of *travertino*, from which it is evident that they belong to a later period, though probably to the time of the republic, perhaps to the first half of the fifth century of Rome, shortly before the Hannibalian war. The whole district down to the river, and on the other side of the Capitoline hill, was now inhabitable; but greater designs for extending the city were soon formed. It was desirable to form a high and dry plain possessing the advantage of not being inundated, and to which in times of war the country people might take refuge, on the north side of the

Esquiline: for this purpose Servius Tullius constructed his great mound from the *porta Collina* to the Esquiline gate, nearly a mile in length, and a ditch of one hundred feet in breadth and thirty in depth. The soil taken out of this ditch formed the mound, which was lined with a wall on the side of the ditch and was provided with towers. Scarcely anything is left of this enormous work, which amazed Pliny who saw it in a state of perfect preservation, but its direction is still perceptible. In the times of Augustus and Pliny, when it was still perfect, it served as a public walk for the Romans; and Dionysius must have seen and walked upon it often enough. Rome now encompassed all its seven hills, as by this mound the Viminal was first inclosed within the city, which thus acquired a circumference of more than five miles. Here then we have another proof of the absurdity of the opinion of Florus and others, who regarded the time of the kings as a period of infancy (*infans in cunis vagiens*); on the contrary, after the period of the kings, the greatness of Rome was for a long time on the decline.

## LECTURE XXI.

THE question now is, Who was Servius Tullius? I will not trouble you with the story in Livy; the miracles there related belong to poetry and to the lay of Tarquinius, but attention must be paid to the Etruscan tradition about Servius Tullius and to the fragment of the speech of Claudius on the tables of Lyons, containing the account of Caeles Vibenna and Mastarna, from ancient Etruscan historians.<sup>1</sup> Not the slightest notice has been taken of these tables since their discovery in 1560, and my attention was not drawn

to them till I had published the first volume of my history, when I was censured by a celebrated reviewer for having overlooked those documents. I never was so much surprised by any literary discovery, for I then still believed in the Etruscan origin of Rome, and thought that this document might diffuse an entirely new light over the history of Rome. Caeles Vibenna must be an historical personage; he is too frequently and too distinctly mentioned to be fabulous, and his Etruscan name cannot have been invented by the Romans, as the Etruscan language was to them as foreign as Celtic is to us. Nor can it be doubted that he had a friend of the name of Mastarna. But when I examine the

<sup>1</sup> Comp. above p. 99, etc. : it has there been observed that the following remarks belong to the year 1828, and must accordingly be regarded as the last results of Niebuhr's investigations into this subject.—ED.



legislation ascribed to Servius Tullius, —allowing for whatever deductions must be made from historical certainty, especially in regard to chronology, though there is not the slightest doubt that Servius' reign preceded that of the last king, and that he was overthrown by Tarquinius Superbus who is thoroughly historical,—when, I say, I examine this legislation, I find it so peaceful and so liberal, that I cannot see how a *condottiere* of hired mercenaries (for such were his troops) could have drawn up such mild laws, and have wished to change the monarchy into a republic. The whole civil and political legislation of Servius Tullius has a completely Latin character, and his relation to the Latins also suggests that the lawgiver was of that nation. He may have been a native of Corniculum, and have ascended the throne contrary to established usage; he may have been the offspring of a marriage of disparagement and the son of one of the Luceres by a woman of Corniculum previously to the establishment of the connubium, and this may be the foundation of the story of his descent; but he surely was not a foreigner nor a commander of mercenaries. I have not the slightest doubt as to the honesty of the emperor Claudius, nor do I undervalue the importance of the Etruscan works (would that we had them! much that we do possess of ancient literature might be joyfully sacrificed for them), but we must not ascribe too high a value to them. What they really were, no one could know before A. Mai's discovery (in 1818) of the Veronensian Scholia on the Aeneid. We there find quotations from two Etruscan historians, Flaccus and Caecina, which immensely reduce the estimate of the value of Etruscan books for the early times, though they might perhaps be invaluable for the later history of that isolated nation. It appears that just as the Romans misunderstood the ancient Latin history and substituted the Tyrrhenian in its place, so the Etruscans adopted the traditions of the Tyrrhenians whom they subdued, and represented Tarchon, who acts a prominent part in Virgil, and

may have occurred in the Roman tradition under the name of Tarquinius Priscus, as the founder of their empire from Tarquinii. If Claudius actually made use of the ancient rolls of the Etruscans, which were written backwards, and are mentioned by Lucretius, he was on slippery ground, and how much more so, if he followed Flaccus and Caecina, who wrote quite uncritically. Etruscan literature is mostly assigned to too early a period: from the Hannibalian war down to the time of Sulla, Etruria under the supremacy of Rome enjoyed profound peace, and it is to this period of somewhat more than a century, that most of the literary productions of the Etruscans must be referred. Previously to the social war, literature, as Cicero says, flourished in every part of Italy, but all knowledge of it is lost; there can be no doubt, however, that historical works were composed in other parts of Italy as well as at Rome. Now when a person read in Etruscan books of Caeles Vibenna and Mastarna, and made his combinations, he might with some vanity have asked himself: "What became of this Mastarna? he must surely have been Servius Tullius, whose birth is buried in obscurity." In this manner any one might hit upon this idea; and Claudius, owing to the dullness of his intellect, was the very person to believe such a thing. In like manner, he says of the *tribuni militares consulari potestate: qui seni saepe octoni crearentur*, though it is a fact that there were always six, half of them patricians and half plebeians, or promiscuously, or four patricians including the *praefectus urbi*; once only we hear of eight, in which case the two censors were included, as Onuphrius Panvinus has proved.<sup>2</sup> This may have happened in one or two other instances, but at all events Claudius committed a mistake. Our account of Mastarna therefore is apparently based upon a very slender authority; the Etruscan annals from which Claudius derived his information may have been ancient, but no one says that they actually were an-

<sup>2</sup> Liv. v. 1, with the commentators.

cient. I have here dwelt so long upon this subject because there is an evident tendency, which will not cease very soon, to derive information on the history of Rome from that of Etruria. The discovery of the Etruscan language, and the consequent power of deciphering inscriptions in it, might be of some assistance; but it is hardly conceivable that inscriptions should furnish much light, for history was contained in books only.

The unity of the lay of the Tarquins from the arrival of Tarquinius Priscus down to the battle of lake Regillus cannot be mistaken: it is a splendid subject for an epic poet, and would have been much more worthy of Virgil than that of the *Aeneid*. It is credible enough, and seems to be derived from ancient traditions, that Servius Tullius was almost obliged to have recourse to force in order to carry his legislation, that he formed his centuries at his own discretion and on his own responsibility, and that they in return recognised him as king a second time, and confirmed his laws. In antiquity, all such changes were carried into effect in a similar manner. It is further stated, that the patricians were indignant at this legislation, although it took nothing from them, and only granted something to the second estate; that they made attempts to murder the king; and that for this reason he would not allow them to live on the Esquiline where his house stood, but compelled them to reside in the valley below: all this derives great probability as a tradition from its internal consistency. The real tragedy, however, is said to have originated in the king's own house. His two daughters, the one a pious and the other a wicked woman, were married to the two sons of Tarquinius Priscus: the pious one to the younger, L. Tarquinius, a gallant but ambitious youth, the wicked one to the elder, Aruns. The latter, seeing that her husband was inclined to renounce the throne, offered her hand to L. Tarquinius, and murdered her husband; he accepted the offer and carried out her designs. Tarquinius then, it is said, formed a party

among the patricians, and with them concerted the murder of Servius Tullius. When the king appeared in the curia, he was thrown down the steps, and afterwards murdered in the street by the emissaries of Tarquinius. Tullia, after having saluted her husband as king, on her return home drove over the corpse of her father, whence the street received the name of *vicus sceleratus*.

Although we are not under the sad necessity of considering this as an authentic account, still it may be regarded as an historical fact, that Servius lost his life in an insurrection of Tarquinius, and that the latter was supported by the whole body of burghers, but more especially by the Luceres, his own party (*factio regis, gentes minores*), who therefore derived the greater advantage from the revolution, while the first two tribes felt themselves oppressed. But I am as far from believing all the particulars that have been handed down about the daughters of the aged king, as I am from believing the story of Lady Macbeth. Our habits and manners differ so widely from those of southern nations, that we can form no idea of the possibility or impossibility of their crimes; but even admitting the *possibility* of these accounts, historical they certainly are not. It may be matter of history that the reign of Tarquinius Superbus was brilliant but extremely oppressive, and that he trampled the laws of Servius under foot; but the fearful massacres belong to the poem. Tarquinius has the misfortune to possess a fearful poetical celebrity, and probably to a much greater extent than he deserved. He cannot have entirely abrogated the Servian legislation: though it is possible that he stopped the assemblies of the plebeian tribes, abolished their festivals, and did not consult them on matters of legislation and in the election of magistrates. For the latter there cannot in fact have been much occasion, since the judges for capital cases were elected by the patricians. We read that Tarquinius executed enormous architectural works such as the magnificent Capitoline

temple, after having prepared the area for it; and it is possible that he compelled the plebeians to perform such heavy task work, that many made away with themselves, and that in order to prevent this, he ordered their bodies to be nailed on crosses; but we must here be cautious and scrupulous, for the detail at any rate is uncertain, nor is every thing true which cannot be asserted to be impossible. I am con-

vinced that Tarquinius did not abolish the Servian division into classes, partly because it was an advantage to him to have the improved military system, and partly because, from the connection he formed with Latium, we must infer the equality of the constitutions of the two states, so that either Servius Tullius gave a Latin constitution to Rome, or Tarquinius Superbus a Roman one to the Latins.

## LECTURE XXII.

ALTHOUGH there is not the slightest doubt of the historical existence of Tarquinius Superbus, and although we may form some conception of his revolution, still the account which we have of the latter is more than doubtful. But a revolution unquestionably did occur; and the constitution of Servius was to some extent suspended for the advantage of the patricians, especially those of the third tribe. It is surprising however that, notwithstanding this, the third tribe appears after this revolution to occupy a position inferior to that of the two others. But the very fact that the interests of the first two tribes did not harmonise with those of the third, prepared the way for a popular revolution.

The statement that he entirely abolished the Servian constitution cannot be true, because in his reign the relation of Rome to Latium continued as before. According to Livy and Dionysius, the Latins, with the exception of Gabii, were induced to recognise the supremacy of Rome and of Tarquinius; but Cicero in his work *De Republica*, says: *Universum Latium bello subegit*. Of a war with the Latins, there is no trace any where, and it must be left uncertain whether the other writers omitted to mention it, or whether Cicero wrote that sentence carelessly and thoughtlessly. It is probable, however, that from the earliest times there existed irreconcilable differences between the

poetical and historical tradition. The story of Turnus Herdonius has a very poetical colouring. Under Servius, the league with Latium had been one of reciprocity, but that country now entered into the condition in which we afterwards find the Italian allies, that is, the condition of an unequal alliance, by which they were bound *majestatem populi Romani comiter colere*. It would appear that on the accession of Tarquinius at Rome, the Latins refused to renew the alliance which they had concluded with his predecessor.

In the treaty between Rome and Carthage<sup>1</sup> we find Rome in possession of all the coast, not only of the Prisci Latini, but as far as Terracina, which then was probably still Tyrrhenian and not Volscian; its inhabitants in the Greek translation are called *ἰπῆκοι*. Rome concluded the treaty for them as well as for herself; and it was stipulated that if the Carthaginians should make conquests in Latium they should be obliged to give them up to Rome. This treaty is as genuine as anything can be, and it is a strange fancy of a

<sup>1</sup> This document was preserved in the archives of the aediles; and Polybius, as he himself says, translated it not without great difficulty into Greek, since the Romans themselves were scarcely able to read and understand the ancient characters. Such a treaty had to be renewed from time to time, as was often the case in antiquity, and is still the custom in the states of North Africa.—N.

man otherwise very estimable,<sup>2</sup> to look upon it as a forgery of Polybius. Here then we find Latium still dependent upon Rome, and this dependence is expressly attested by Livy: at the beginning of the republic the relation was one that had been recently established. Afterwards, when all the country as far as Antium rose against Rome, the power of the latter again appears to be on the decline. The *Feriae Latinae* were an assembly of all the Latin people (not merely of the Prisci Latini) on the Alban mount, where accordingly the Latin magistrates must necessarily have presided; but Dionysius relates that Tarquinius instituted the festival, and that a bull was sacrificed, of which the deputies of each town received a share (*carnem Latinis accipere*). The Milan scholiast on Cicero's speech for Plancius<sup>3</sup> says that there was a different tradition; for that some ascribed the festival to Tarquinius Priscus,—this is only an interpolation for Tarquinius Superbus, caused by the hatred entertained against the latter, just as the foundation of the Capitoline temple was assigned to the former,—and others to the Prisci Latini, that is, to the earliest times. The latter statement is perfectly correct, for these festivals had existed long before Tarquinius, and were in fact as old as the Latin nation itself. But the other account also has some appearance of truth: it arose out of a misunderstanding which may easily be excused; for if Tarquinius Superbus acquired the supremacy over the Latins, it is natural to infer that he also became the president at their sacrifices, just as the Aetolians during their supremacy did at Delphi, whence the well-known expression in inscriptions *ἱερομνημονούτων Αἰτωλῶν*.

Now in order to be able to make the best use of Latium for his objects, since after all he did not quite trust the Latins, Tarquinius did not allow their troops to form legions by themselves or to serve under their own

officers. He therefore combined the Roman and Latin legions, and then again divided them into two parts. The Latins had a division similar to that of the Romans; for both nations had centuries, those of the latter corresponding to the thirty tribes, those of the former to their thirty towns. Tarquinius united one Latin and one Roman century into one *maniple*, and the *primus centurio* was a Roman officer, just as in the East Indian possessions of the English the officers are always Europeans. Livy confounds the *primus centurio* with the *primipilus*. This is the origin of the *maniples*, and is the simple meaning of what Livy relates in a confused manner, though it is not difficult to discover his error.

If, however, we take the separate accounts, we feel not a little perplexed as to what we are to believe. Tarquinius is said to have founded colonies at Signia and Circeii, and to have conquered Gabii by a stratagem. Against the former I have nothing to say; but the latter is a forgery made up of two stories related by Herodotus about Zopyrus and Thrasybulus of Miletus. The treaty with Gabii however is authentic, and from it we must infer that Gabii was not contained in the confederacy of the thirty towns, the league with which had been settled before. The document of the treaty with Gabii existed in a temple as late as the time of Horace, and was one of the few documents that were preserved; Gabii accordingly must have concluded a regular treaty of *isopolity*.

It may easily be believed that Sextus Tarquinius committed the outrage on Lucretia; for similar things are still of every-day occurrence in Turkey, and were frequently perpetrated in the middle ages by Italian princes down to the time of Pietro Luigi Farnese (in the sixteenth century); in antiquity similar crimes are met with in oligarchies and tyrannies, as is well-known from the history of Demetrius Poliorcetes at Athens. Cicero is quite right in saying that it was a misfortune that Sextus hit upon a woman belonging to one of the most powerful families. I

<sup>2</sup> U. Becker in Dahlmann's *Forschungen auf dem Gebiete der alten Geschichte*.—ED.

<sup>3</sup> Orelli, tom. v. part ii. p. 255.



readily believe that the woman tried to avenge herself; but the whole of the subsequent events, by which the story acquired individuality, and its connection with the campaign against Ardea, are of no historical value. The king is said to have been encamped before Ardea, and to have concluded a truce for fifteen years; but Ardea was dependent upon Rome before that time, since it occurs among the towns on behalf of which Rome concluded the treaty with Carthage. All therefore that remains and bears the appearance of probability is, that Lucretia was outraged, and that her death kindled the spark which had long been smouldering under the ashes.

We are in the same perplexity in regard to the person of Brutus. He is said to have feigned stupidity, in order to deceive the king; and there were several traditions as to the manner in which he attempted to accomplish this object. His mission to Delphi along with the sons of Tarquinius, although the mission from Agylla at an earlier period cannot be doubted, seems to betray a later hand, and probably the same as introduced the stories from Herodotus into Roman history. It is further said that Tarquinius, in order to render the dignity of *tribunus celerum*, the highest after that of the king, powerless for mischief, gave the office to Brutus. But there is every reason for believing that the whole story of Brutus' idiocy arose solely from his name. Brutus is undoubtedly an Oscan word connected with the same root as *Bruttii*; it signifies "a runaway slave," a name which the insolent faction of the king gave to the leader of the rebels because he was a plebeian. How is it conceivable that a great king, such as Tarquinius really was, should have raised an idiot whom he might have put to death to the dignity of *tribunus celerum*, for the purpose of rendering it contemptible? Tarquinius was not a tyrant of such a kind as to be under the necessity of weakening the state in order to govern it; he might have given it power and vigour and yet rule over it by his great personal qualities; nor

did the Romans think differently of him, for his statue continued to be preserved in the Capitol with those of the other kings.

The following question formerly occupied much of my attention: how could Brutus who was a plebeian be *tribunus celerum*, since the *celeres* were the patrician *equites*? I think I have discovered the solution. Most writers speak of him as if he had been the only *tribunus celerum*, though it is certain that there were several, as is mentioned even by Dionysius, in his account of the priestly offices when relating the history of Numa. The *celeres* were the *equites*, but the plebeians too had their *equites*: now if each of the patrician tribes had its *tribunus*, is it not natural to suppose that, among the thirty tribunes of the plebeians, there was one who represented the plebeian *celeres* in opposition to the patricians, the plebeians thus appearing as a fourth tribe? The *magister equitum*, whose office is regarded as a continuation of that of the *tribunus celerum*, was not necessarily a patrician; for P. Licinius Crassus was elected to it. This magistrate was at the head of all the eighteen centuries of the *equites*, in which the plebeians preponderated. In the memorable peace between the two estates in the year of the city 388 the plebeians again appear in the light of a fourth tribe, since the three festal days, which were observed at Rome and corresponded with the three tribes, were increased by one, undoubtedly because the plebeians as a body were treated as equal to the patricians, though in the eyes of the patricians not so perfectly equal as to entitle them likewise to have three days. My opinion therefore is, that Brutus was tribune of the *celeres* for the plebeians.

In order to give to the revolution its necessary sanction, it is said that Collatinus brought with him Brutus, and Sp. Lucretius brought Valerius. We may positively assert that Sp. Lucretius belonged to the Ramnes, Valerius to the Tities,<sup>4</sup> Collatinus to

<sup>4</sup> The Fasti, such as we have them, mention four Valerii as sons of Volesus, viz.,

the Luceres; and Brutus, as we have above seen, may be regarded as a plebeian. It is universally acknowledged by the ancients, that Valerius belonged to the Tities; Cicero states that he was consul with Lucretius and resigned to him the fasces *quia minor natus erat*; but Cicero here confounds *gentes minores* with *minor natus*, the less favoured tribe being called *minor*, for we know from Dionysius that when the first two tribes were placed on an equality, the numbers of the third were called *νέωτεροι* (*minores*). Collatinus belonged to the gens of the Tarquinii, and was accordingly one of the Luceres. Brutus was a plebeian. Cicero's belief in the descent of the Junii Bruti from our L. Junius Brutus is undoubted, and is worth more than the denial of the writers after the battle of Philippi, when M. Brutus was to be regarded as a *homo insitivus*, that is as an outlaw. We learn even from Posidonius, that the question about the origin of the Bruti was a subject of discussion. Those who consider him to have been a patrician may mention various facts in support of their opinion: there is no doubt that many a patrician gens continued to exist only in some plebeian families, and a *transitio ad plebem* frequently occurred, especially in consequence of marriages of disparagement: the surname in such a case is usually plebeian, but the retaining of so illustrious a name as Brutus would not be surprising. However, so long as the consulship was not open to the plebeians, no Junius occurs

among the consuls. In the first period of the republic we read of a tribune of the people called L. Brutus, who became conspicuous as the author of an important *plebiscitum* in the trial of Coriolanus (Dionysius also mentions him at the time of the *secessio*, but this is a forgery). This Brutus is a real personage; but, like the whole narrative of Coriolanus, he belongs to a different time.

Setting aside all the dramatic points in our narrative, we find that after the fall of Tarquinius four *tribuni celerum* were in possession of the government; and thus formed a magistracy of four men, Sp. Lucretius being at the same time *princeps senatus*, and Valerius *præfectus urbi*. In Livy, every thing happens as on the stage; he mistakes the natural and necessary course of events; but in Dionysius we find some important traces of real history. These four men were in no way authorised to bring any resolution of their own before the assembled citizens, for the patricians could determine upon nothing unless it was preceded by a *senatus-consultum* (*προβούλευμα*), as in all the states of Greece—a fact which is repeatedly noticed by Dionysius. This was the case with the curies as well as with the centuries. The first branch of the legislature that acquired the initiative was the *comitia tributa*; and it is this circumstance which gives to the Publilian law its extraordinary importance. As long as the senate could do nothing without a proposal of the consuls, and the assembly of the people nothing without a resolution of the senate, so long the consuls had it in their power to repress almost every movement simply by obstinate silence. In the present instance, it would seem that the proposal for abolishing the kingly dignity was illegally brought before the curies by the *tribuni celerum*; but Livy suppressed the ancient account contained in the law-books for the sake of his own poetical narrative. The *tribuni celerum* assembled and resolved to propose the abolition of royalty; the proposal was brought before the senate by the *princeps senatus*; the senate and the curies sanctioned it,

Publius Poplicola, Marcus, Manius, and Lucius; the last or his son Caius is mentioned only as quaestor. The ancient traditions, on the other hand, knew only two, Publius Poplicola and Marcus with the surname of Maximus. Wherever Volesus occurs, he is described as a Sabine; in the annals which Dionysius followed, he appears as one of the companions of Tatius; while others state that he went to Rome by the command of oracles, which is probably the more ancient tradition. To consider the four individuals as brothers, is one of the common genealogical errors; Dion Cassius calls Marcus only a *gentilis* of Publius; and the addition which all others give to the Valerii, *Volesi Filii* or *Nepos*, arose only from the ordinary desire to trace all the members of a *gens* to one common ancestral hero.—N.

and this is the *lex curiata*. In order now to restore the constitution of Servius, the resolution of the curies was brought before the centuries also to obtain their sanction (the order is here a matter of indifference); and this is represented as if the army at Ardea had sanctioned the decree.

It is by no means certain that the consulship was instituted immediately after the expulsion of the kings: it is possible that at first Rome was governed by the four *tribuni celerum*, but it is also possible that the number of rulers was at once curtailed and

reduced to two. This was certainly not an improvement; but it may have been prescribed in the Servian constitution with the distinct object of placing the commonalty on an equality with the patricians, that one consul should be a patrician and the other a plebeian; and thus it happened that of the first consuls Collatinus was a patrician and Brutus a plebeian; unless their consulship was preceded by that of Sp. Lucretius and Valerius Poplicola. The beginning of the consular Fasti is mutilated, the first part being wanting.

## LECTURE XXIII.

THE consequences of the taking of Rome by the Gauls were not more serious for the city itself than for its history, the sources of which were thereby entirely destroyed. In all such cases, analogy and examples give us the best insight into the state of things, and the chronicles of many places furnish us with instances perfectly analogous in their beginnings. In my native country of Dithmarsch, they begin about 150 years before the conquest of the country, after the great change which formed the burghers and the peasantry into one organised whole, an event which is not touched upon but presupposed. In a similar manner, the Chronicle of Cologne begins its records long after the city was great and flourishing: there were indeed earlier records in all the towns of the middle ages, but they were little valued because they were too meagre, and had lost all their interest because living tradition was no longer connected with them. The chroniclers therefore began at a point which followed immediately after some memorable event. Such also was the case at Rome: there existed a history of the time of the republic but not from its commencement; it began somewhere about the *secessio*, and only a few incidents of the earlier period were recorded, such as the

peace with the Sabines in the first consulship of Sp. Cassius, and the war with the Volscians. All the other events, as I have before shewn, were restored according to numerical schemes.

I have already observed, that when the consuls were chosen from the two estates, Brutus represented the plebeians as afterwards did Sextius Lateranus. It is very remarkable, that with regard to all these ancient institutions, the Licinian laws were really and essentially nothing else than a restoration and a re-enactment of those of Servius. The consuls were originally called *praetores* (στρατηγοί in Dionysius); and this was their designation until the time of the decemvirate, when their power was weakened, and the title of consul was substituted as denoting something inferior. Roman etymologists were much perplexed in the derivation of this word; we compare it with *praesul*, and *exsul*; *praesul* being one who is *before* another, *exsul*, one who is *out* of the state, and *consul* one who is *with* another, that is *collega*, whence *consulere*, to be together for the purpose of deliberating; it has nothing to do with *salire*. The ancients had no idea of etymology; and it is curious to observe how com-

pletely blind they were in this respect. The *being together* of a patrician with a plebeian, however, did not last long. It is stated that the expulsion of the Tarquins was at first by no means followed by bitter hostility against them, although an oath had been taken never again to allow a king to reign at Rome; so that it might almost appear doubtful whether the outrage said to have been committed on Lucretia had actually taken place. But the ancients were often inconceivably mild under such circumstances; and it is also possible that the influence of the royal family and of the third tribe was still so great, that it was necessary to grant to the Tarquins the right of election to the consulship instead of the hereditary royalty. In Greek history, too, the royal families become *γένη ἀρχικά*: the Codrids became archons; those who were elected for ten years, and, at first unquestionably, even those who were appointed for only one year were Codrids. But such an arrangement did not last long, for Collatinus was obliged to abdicate, and the whole gens Tarquinia was banished. It is not impossible that at that time there existed a Tarquinian tribe, the recollection of which was afterwards entirely lost. It is revolting to our feelings that Collatinus, the husband of Lucretia, should have been exiled, and if children of Lucretia were alive and were obliged with Collatinus to quit the country, their banishment would be a startling cruelty, but Lucretia's marriage with Collatinus belongs only to the poem, *neque affirmare neque refellere in animo est*. She was the daughter of Sp. Lucretius Tricipitinus; and this circumstance is much more emphatically mentioned than her marriage, the story of which was probably intended to palliate the fact that not all the Tarquins were exiled, it being necessary to explain why, after all that happened, a cousin of the king had been made consul; and this could not be done more easily than by referring to him the tradition of Lucretia.

The characteristic feature of the consulship is, that it was a limitation of the kingly power to one year, and was elective instead of hereditary; it was further stripped of all priestly functions, and received no *τέμενος*, which Cicero calls *agri lati uberesque regii*, large estates which were cultivated for the kings by clients. These *agri* were now distributed among the commonalty in order that the restoration of royalty might become impossible, and that the consuls might not have the same extensive powers as the kings. The strength of the kings consisted, as among the Franks, in their retainers. Clovis was not allowed to appropriate to himself any portion of the booty, and yet he ruled as a despot, and his successors still more so; but for this power he was indebted to his *comitatus* alone. In the middle ages and until the thirteenth century, the vassal of a king was of less importance than a common freeman who carefully preserved his independence. The clients, who cultivated the estates of princes, were their vassals.

The question now is, was the consulship of such a nature that it was necessary to elect two patricians without any restriction, or was it confined to the first two tribes, the Ramnes and Tities, to the exclusion of the Luceres, or lastly was it a representation of the patricians and plebeians? No one could offer himself for the consulship, for at first the senate alone had the right of proposing candidates. The first of the above hypotheses is inconceivable; for if the first two tribes or the first two estates had not been represented, it would have been much more natural to institute a triumvirate. But the idea of a triumvirate does not occur in Roman history till a later time, a fact which was entirely overlooked until I discovered the trace of it in Joannes Lydus, an insignificant writer who had however the use of excellent materials.

Of a plebeian consulship there is no trace down to the time of Licinius. According to the treaty with Carthage which is confirmed by a passage in Pliny, Horatius was elected in the



place of Collatinus, whereas in the common tradition Valerius Poplicola is called the successor of Collatinus; thus we have two irreconcilable statements side by side, and we are at liberty to exercise our criticism here as in the kingly period. The events assigned to the kingly period, occupying large spaces of time, admitted of extension and contraction; and it is therefore a natural illusion to consider as more authentic the subsequent period, which is counted year by year, and in which only private persons appear on the stage. But the period of uncertainty extends very far down, for the poem which related these occurrences came down to the battle of lake Regillus. The story of Coriolanus formed the beginning of another separate poem. The Fasti present the greatest differences. Three pairs of consuls are wanting in Livy, if compared with Dionysius, during the first thirty years; in regard to one pair, Livy seems to have found a gap in the Fasti, and those Fasti in which this gap did not exist were interpolated; in the two other pairs, Lartius and Herminius are only secondary personages who are mentioned along with the heroes. The necessity of extending the Fasti was felt, because they did not accord with the computation of years, and new consulships were thus forged, but the names were not taken at random, but from extinct families and heroes of secondary rank, and these names were inserted between the consulships of the Valerii in order to conceal their uninterrupted succession. We may therefore also form many conjectures upon other subjects. We know from Dionysius that the Horatii belonged to the *gentes minores*, so that the place of Collatinus was again filled by one of the Luceres; I therefore conjecture that it was perhaps intended that alternately two and two, first, one of the Ramnes and one of the Tities, and next, one of the Luceres and a plebeian should be at the head of the state. This conjecture however cannot be followed up any further. But if Valerius was not the colleague of Brutus, all that is related about him

must fall to the ground. After the death of Brutus, Valerius Poplicola is said at first not to have elected a successor, and to have built a stone house on the Velia. The temple of the Penates, erroneously called the temple of Romulus, was situated at the foot of a steep hill, the Velia; the top of it, whereon stood the temple of Venus and Roma, and the arch of Titus, was the *summa Velia*, but the temple of Romulus was *infima Velia*. As the people, that is, the sovereign burghers, murmured at the building of a stone house, Valerius ordered it to be pulled down during the night, assembled the people, that is the concilium of the curies, appeared with his lictors without the axes, and ordered them to lower the *fascēs* before the *concio*, whence he received the name of Poplicola. The *populus* here, too, is undoubtedly the patricians or the assembly of the burghers, from whom the consul derived his power, for such homage paid to the plebeian assembly would have been the act of a demagogue, and he would then have been called Plebicola. This beautiful narrative can have no historical value, because, according to the document, Valerius cannot have been consul alone, and tradition always mentions Sp. Lucretius as his first colleague. The reason of his not immediately filling up the vacant place in the consulship, is said to have been his fear of being opposed by one who had equal rights. Sp. Lucretius occurs in some Fasti as consul in the third year instead of Horatius, but then comes the unfortunate interpolation; and in order that the father of Lucretia might not be passed over, his consulship is transferred from the third to the first year.

The Valerian laws are beyond a doubt; and it is a fact that on the whole the Servian constitution was restored. The patricians, as Livy says, endeavoured to conciliate the plebeians; and Sallust too states, that after the revolution the government was at first carried on with just laws and with fairness, but that afterwards it became the very reverse. The election of the consuls by the centuries

was preserved in the ritual books, and is therefore not quite certain. The statement, that the first law passed by the centuries was the Valerian law, by which the plebeians obtained the right of appeal to the commonalty, looks indeed very authentic, but is not so. It is quite possible that the first elections were made by the curies, as was afterwards unquestionably the case; but this is opposed to the

express tradition that the condition of the plebes was at first far more favourable than afterwards.<sup>1</sup>

<sup>1</sup> The remainder of this Lecture consists of an account of the artificial chronology of the early Roman history, and has been transferred from this place to page 61, etc. The following Lecture and a part of the next contained the account of the Etruscans, which has been inserted above, p. 92, etc., which seemed to be a more appropriate place.

## LECTURE XXIV.

ONE tradition about Tarquinius states that he went to Caere and thence to Tarquinii, others make him go to Veii to obtain the assistance of the Veientes. The emigration to Caere is nothing else than a disguise of the *jus Caeritum exulandi*, for this *jus exulandi* always existed between Rome and the *isopolites*; the *jus Caeritum* was especially mentioned in the ancient law-books, and the flight of Tarquinius was believed to have occasioned it. The tradition of the books is that he went to Caere, and that of the poem that he went to Veii and led the Veientes against Rome. The annalists considered both as insufficient, and thought it most probable that he went to Tarquinii, where kinsmen of his might still have been living. Caere, whither the king's family is said to have gone, is not mentioned at all as having supported them during the war. Cicero, who saw the ancient history of Rome without its interpolations, knows nothing of a participation of the Tarquinians in the Veientine war; and in his *Tusculanae*, he merely says that neither the Veientes nor the Latins were able to restore Tarquinius. The battle near the forest of Arsia is purely mythical; Brutus and Aruns both fell fighting, and the god Silvanus loudly proclaimed the victory after 13,000 Etruscans and one Roman less had fallen on the field of battle. An account like this can be nothing else than poetry.

Lars or Lar<sup>1</sup> Porsena is an heroic name like Hercules among the Greeks, Rustam among the Persians, and Dietrich of Berne or Etzel in the German lays; the chief heroes of such heroic lays are frequently transferred into history and their names connected with historical events. The war of Porsena is one of those traditions which were most generally current among the Romans; and it is described as a second attempt of the Tarquins to recover the throne.

The Veientine war had had no effect, and there is no further account of it after the death of Brutus. Cicero undoubtedly looked upon this war of Porsena in no other light than as the expedition of an Etruscan conqueror; and it is certain that at that time the Romans were engaged in a highly destructive war with the Etruscans, in which they sank as low as a nation can sink. It was nothing but republican vanity that threw this immediate consequence of the revolution into the shade; and the same feeling gave rise to the dishonest concealment of the Gallic conquest. The tradition must have related a great deal about Porsena, as we may infer from the story respecting his monument at Clusium,

<sup>1</sup> *Lar* is an Etruscan praenomen which frequently occurs on monuments, and probably signifies *king* or *god*. Martial's quantity *Porsēna* is false; in *Vibenna*, *Caecina* and other words of the same termination, the penult is always long.—N.

which Pliny very credulously describes after Varro, who derived his account from Etruscan books: it is this account in particular, which shakes my faith in the authenticity of those books, which, to judge from this example, must have been of an oriental character. That monument is described as a wondrous structure, such as never has existed nor could exist, like a fairy palace in the Arabian Nights' Tales. Pyramids stood in a circle and their tops were connected by a brass ring, upon which at intervals rose other pyramids of immense bases, and so on through several stages; forming a pyramid of pyramids, a thing which could never have stood, but must have fallen to pieces. It is inconceivable how Varro and still more a practical man like Pliny could have believed the existence of such a monstrosity, the impossibility of which must be manifest even to a boy. That it is an impossibility is confirmed by the fact that neither Varro nor Pliny saw any traces of the work, whereas if it had really existed, its ruins would be visible to this day, like those of the temple of Belus at Babylon.<sup>2</sup> There may have been an historical Porsena, who became mythical, like the German Siegfried, who has been transferred to a period quite different from the true one; or on the other hand there may have been a mythical Porsena, who has been introduced into history; but we must deny the historical character of everything that is related about his war, which has an entirely poetical appearance. To what extent this is the case becomes evident, if we consider the account in its purity and stripped of all the additions made by the annalists. It is a peculiarity of all such poems that they are irreconcilable with other historical facts.

According to the common tradition, the Etruscans suddenly appeared on the Janiculum, and the Romans fled across the river; the poem did not even mention the conquest of the Jani-

culum, but the Etruscan army at once appears on the bank of the Tiber, ready to pass the Sublician bridge: there three Roman heroes oppose them, Horatius Cocles, Sp. Lartius and T. Herminius, probably a personification of the three tribes. While the Romans were breaking down the bridge, the three heroes resisted the enemy, then two of them, Lartius and Herminius, withdrew, and Cocles, who belonged to the tribe of the Ramnes, alone withstood the foe. After this, we have the account that the Etruscans crossed the river, and that the consuls drew them into an ambuscade on the Gabinian road: this is transferred entire from the Veientine war of A.U. 275, where the same thing occurs; the annalists made this interpolation, because it seemed strange to them that the poem should mention nothing further of the war than the defence of the bridge. Livy's account is ridiculously minute. We then find Porsena on the Janiculum. Now how is it possible that Rome could have suffered from such a famine as is presupposed in the story of Mucius Scaevola, if the Etruscans were encamped on that one hill only? for plunderers on the Roman side of the river were easily warded off. Livy states that Porsena carried on the war alone, whereas in Dionysius he appears allied with the Latins under Octavius Mamilius, an evident fabrication to render it intelligible how Rome was surrounded and suffering from famine. There is no mention of any hostility on the part of the Latins, until their great war. But, the fact is that the Etruscans were masters not of the Janiculum only; that the famine was raging furiously is acknowledged by the Romans themselves. In this distress Mucius Scaevola, according to the poem, undertook to kill the king, but by mistake he slew a scribe, who was clad in purple, —a mistake inconceivable in history, and pardonable only in a poem. Mucius then told the king that he was one of 300 patrician youths (one of each gens) who had resolved to murder him; whereupon Porsena concluded peace, reserving to himself the

<sup>2</sup> Quatremère de Quincy once had the unfortunate idea of making an architectural restoration of this monument.—N.

seven Veientine *pagi*, and keeping a garrison on the Janiculum.

If we go into detail and ask whether such a person as Mucius Scaevola ever existed at all, we come to another question which has been well put by Beaufort:<sup>3</sup> how can Mucius be called by Livy and Dionysius a patrician or a noble youth, when the Scaevolae were plebeians? It is probable that the family of the Mucii Scaevolae appropriated this Mucius to themselves, and that in the ancient poems he had no other name but Caius; it is not till the seventh century that two names are mentioned, and afterwards Scaevola (left-handed) was added; whereas the family of the Scaevolae derived this name from quite a different circumstance, Scaevola signifying an amulet. It is impossible to determine how much truth there may be in the story of the ancient Scaevola; the account which has come down to us is evidently poetical.

Beaufort really threw great light upon this part of Roman history, by shewing that the peace of Porsena was something very different from what the Romans represented it. Pliny expressly states that by it the Romans were forbidden the use of iron for any other than agricultural purposes; and that hostages were given is acknowledged even in the common narrative: we thus see Rome in a state of perfect subjection: *arma adempta, obsides dati*, an expression which occurs so often respecting subdued nations. Pliny saw the treaty (*nominatim comprehensum invenimus*), but where, is uncertain; a tablet probably did not exist, but he may have found it in Etruscan books. Tacitus in speaking of the conflagration of the Capitol mentions in no less distinct terms the deepest humiliation of the Romans by Porsena, *sede Jovis optimi maximi quam non Porsena DEDITA URBE, neque Galli capta TEMERARE potuis-*

*sent*; and what *deditionem facere* means, is clear from the formula which Livy gives in describing the *deditio* of Collatia to Ancus Marcius, from which we see that it was a total surrender of a nation, comprising both the country and its inhabitants, and that it may be compared to the *mancipatio* or to the *in manum conventio* of women in the civil law. To this period of subjection we must also refer a statement in the *Quaestiones Romanae* of Plutarch, who though he was uncritical made use of good materials: he says that the Romans at one time paid a tithe to the Etruscans, and that they were delivered from it by Hercules. Now a tithe was paid when a person occupied a piece of land belonging to the state (*qui publici juris factus erat*), and the deliverance by Hercules denotes their liberation by their own strength; the payment of the tithe was the consequence of their having given up to the Etruscans themselves and all that belonged to them (*feuda oblata*). A still stronger proof of the calamity of that time is the diminution of the Roman territory by one third, the thirty tribes established by Servius Tullius having been reduced to twenty, to which, in the year A.U. 259, the *tribus Crustumina* was added as the twenty-first.<sup>4</sup> It was quite a common custom with the Romans when a state was compelled to submit to them, to deprive it of a third part of its territory; it is therefore here also evident, since tribes correspond to regions, and since out of thirty tribes we find only twenty, that in consequence of its surrender to Porsena, Rome, about the year A.U. 260, had lost one third of its territory: of which fact other traces are contained in the *septem pagi agri Veientium*, the surrender of which has already been mentioned. In the history, in order to conceal the capture of the city, Porsena was made the champion of the Tarquins, and thus it seemed as if the war had, after all, not turned out so unfortunately, since its

<sup>3</sup> This war of Porsena and the period of Camillus are treated in an excellent manner by Beaufort, and that period seems to have been the centre round which the other parts of his work were grouped in subordination.—N.

<sup>4</sup> That this number is correct—the manuscripts of Livy have thirty-one—has been shown in the new edition of the first volume of my Roman history.—N.



main object, the restoration of the Tarquins, had not been obtained.

It is further related that after Porsena had returned home, he sent his son Aruns with a part of the army to Aricia, in order as Livy says (this is one of the passages in which he intentionally shuts his eyes to the truth), to shew that his expedition had not been quite in vain. But at Aricia, which was a very strong place, a stop seems actually to have been put to the progress of Porsena, through the assistance of Cuma, for Cumæan traditions also spoke of it: the Romans are said to have behaved with great generosity towards the fugitive Etruscans, whereby Porsena was induced to become their friend, to abandon the Tarquins, and to restore the seven Veientine *pagi*; after this Porsena is not again mentioned. Here we evidently have an awkwardly inserted piece of poetry. It continued to be a custom at Rome down to a late period, symbolically to sell the property of King Porsena previously to every auction; and Livy had good sense enough to see that this custom was not consistent with the statement that Porsena and Rome had parted as friends in arms (*δορούμενοι*). All becomes clear if we suppose that, after the defeat of the Etruscans at Aricia the Romans rose and shook off their yoke, a supposition which gives to the story of Cloelia also a consistent meaning; otherwise her flight with the rest of the hostages must necessarily have been injurious. The great migration of the Etruscans is connected with the statement that Tyrrhenians from the Adriatic sea along with Opicans and other nations appeared before Cuma, though in the common chronology there is a mistake of from fifteen to twenty years at the least. These Tyrrhenians were not Etruscans, but the ancient inhabitants of the country, who were pressed forward by the advancing Etruscans and moved in the direction of Cuma.

The result of all this accordingly is, that the Romans carried on an unequal contest against the Etruscans and their king Porsena, to whom they submitted

as their master; they lost a third of their territory, and of the rest they paid a tithe; the Etruscan power was broken at Aricia, whereupon the Romans took courage and rid themselves of their masters, but without recovering that part of their territory which lay beyond the Tiber, since even as late as the time of the Decemvirs the Tiber was their boundary, except that probably the Janiculum was Roman, as may be inferred from the law respecting the sale of debtors *trans Tiberim*. Whether the war of Porsena belongs to about the year to which it is assigned, whether it happened two or three years after the consecration of the Capitol, or at a later time, is an important question, in regard to which, Livy and Dionysius contradict each other, and are both opposed to all the other authorities. It is easy to perceive that the poem about the war was inserted by the annalists, since the most ancient annals did not mention it at all. In like manner the lay of the Nibelungen cannot be fixed chronologically; and Johannes Müller was obliged to use violence in order to obtain a fixed chronological point. Such poems know nothing of chronology. Valerius Poplicola appears in the battle of Lake Regillus; and this determined what place should be assigned to the story. It is more probable, according to other accounts, that the war took place ten years later than is commonly supposed, that is shortly before the beginning of the hostilities between the patricians and plebeians. I infer this from the statements respecting the census which I do not altogether reject, though I will not venture to assert that they are authentic in their present form; but they are certainly a sign of the rise and fall of the numbers of Roman citizens. The person with whom these statements originated, unless they were very ancient, had formed a view of Roman history according to which the number of citizens during the period in question rose from 110,000 to 150,000, and again sank to 110,000. If this rising or falling were in harmony with the annals, we might say that some specu-

lator had represented his view in this numerical scheme; but such a person from vanity would never have mentioned a diminution of the population, for we find on the contrary that in times when the population is decreasing the annals mention victories and conquests. For this reason, I believe that some account, more ancient than the annals, intended to shew by a numerical scheme how Rome and Latium by unequal wars lost a part of their population. No one can answer for the correctness of the numbers, but the statement is independent of the annals. On this account I refer the statement—that, between the battle

of lake Regillus and the insurrection of the plebes, Rome was for a long time deprived of one-third of its population—to the fact that the war of Porsena and the reduction of the Roman territory which was its consequence belonged to this very period; the reduced number of citizens nearly corresponds to the loss of one-third of the territory; and the circumstance that it does not perfectly correspond, arises perhaps from the fact that only the plebeians were counted, not the patricians, or that some of the inhabitants of the lost districts emigrated to Rome.

## LECTURE XXV.

IN the history of Rome, as in that of most other nations, the same events are frequently repeated, just as after the Gallic conquest the Latins and their allies revolted from Rome, so they broke through the alliance which had been established under Tarquinius, as soon as Rome was humbled by the Etruscan conqueror. The confederacy between the two states which was formed under Servius Tullius, had become a union under Tarquinius, as notwithstanding the obscurity which hangs over all the detail, is clear from the combination of the Roman and Latin centuries into maniples. This combination is the more certain, as Livy mentions it in two passages, first in his account of the reign of Tarquinius, and secondly in the eighth book, where he describes the military system. The authorities from which he derived his information, contained testimonies quite independent of one another; and he quotes them without understanding them, but in such a manner that we are able to deduce from his statements the correct view of the annalists: when he wrote the second passage, he was certainly not thinking of the first. The relation between the two nations may have

been arranged in such a way, that Rome alone had the *imperium*, but the Latins received their share of the booty; or that the two nations had the *imperium* alternately. But in the treaty with Carthage, we see that Rome had the supremacy and that the Latins were in the condition of *perioeci*. The result of the war, the only events of which are the conquest of Crustumeria which is historical, and the battle of lake Regillus which is poetical, was that the Latins from the condition of *perioeci* rose to that of equal allies, just as at Groningen the surrounding districts were raised to an equality with the city, and in all foreign transactions appeared only as one province with the city.

Tarquinius and his family are said to have been the first cause of the war; and I readily believe that he was not unconnected with the movement, since his family connection with Mamilius Octavius at Tusculum has an historical appearance, but we cannot possibly class the battle of lake Regillus as it is related, among the events of history. It never has occurred to me to deny that the Romans endeavoured to restore their dominion by war; but it is quite a different question, whether a

great battle was fought near lake Regillus under the command of the dictator Postumius, in which the Latins were conquered and thrown back into their former condition. Nay, if we may infer the cause from its effects, which cannot be done as surely in moral affairs as in physical ones, the Latins were not by any means defeated, for they attained—after a considerable time, it is true—their object, a perfectly free alliance with Rome. The contrary might be inferred from the circumstance that Postumius, who is said to have been dictator or consul, was surnamed Regillensis; but the Claudii too were called Regillani, and names derived from districts were quite common among the patricians; the Sergii for instance were called Fidenates; Regillensis may have been taken from the town of Regillus, as some surnames were derived even from parts of the city of Rome, as Esquilinus, Aventinus and others. *Gentes* bearing such names stood to those places in the relation of patrons. Names derived from victories do not occur till very late, and the greatest generals before Scipio Africanus, did not derive surnames from the places of their victories, as Livy himself remarks at the end of the thirtieth book.

The Romans imagined that they had gained a complete victory in the battle, as is clear from the story about the Dioscuri: near lake Regillus, where the whole district consists of a volcanic tufo, the mark of a horse's hoof was shown in the stone (just as on the Rosstrappe in the Harz mountain), which was believed to have been made by a gigantic horse of the Dioscuri, a tradition which, down to the time of Cicero, lived in the mouths of the people. After the battle, the Dioscuri, covered with blood and dust, appeared in the comitium, announced the victory to the people, gave their horses drink at a well, and disappeared. Of this battle we have no accounts except those in which there is an evident tendency to make it appear historical; but the poem nevertheless cannot be mistaken. The

descriptions of the battle in Livy and Dionysius have more points of agreement with each other than is usual between the two writers, though Dionysius's description more resembles a bulletin, while that of Livy is fresh and animated, like the Homeric description of a struggle between heroes, the masses being entirely thrown into the background. The cessation of the peace between the two states had been announced a year before, in order that the many connections of friendship might be dissolved as gently as possible, and that the women might return to their respective homes. Tarquinius had gone to Mamilius Octavius, his son-in-law, and all the Latins were aroused. The dictator led the Romans against an army far superior in numbers, and Tarquinius and his sons were in the enemy's army. During the contest, the chiefs of the two armies met: the Roman dictator fell in with Tarquinius, who being severely wounded retreated, while the *magister equitum* fought with Mamilius. T. Herminius and the legate M. Valerius as well as P. Valerius fell, the last being slain while endeavouring to rescue the body of M. Valerius. In the end, the Roman equites gained the victory by dismounting from their horses and fighting on foot. The consul had offered a reward to those who should storm the hostile camp; and the object was gained at the very first assault, in which the two gigantic youths distinguished themselves.

Even the ancients were greatly perplexed about M. and P. Valerius, for Marcus soon after re-appears as dictator, and Publius had died even before the battle; both accordingly are described as sons of Poplicola; but this is an unfortunate remedy, since a P. Valerius as a son of Poplicola again occurs in the Fasti afterwards. The poem however was not concerned about Fasti and annals: we cannot regard the two Valerii as sons of Poplicola, but as the ancient heroes Maximus and Poplicola themselves who here fought and fell. The legend undoubtedly related that Tarquinius and his sons were likewise

slain, and the statement that the king was only wounded arose from the record in the annals that he died at Cuma. The introduction of the dictator Postumius was certainly a pure interpolation, and the poem undoubtedly mentioned Sp. Lartius, who could not be wanting here, any more than M. Valerius. The reward offered by the dictator refers to the legend of the Dioscuri, as in the war against the Lucanians under Fabricius, when a youth carried the ladder to the wall, and afterwards, when the mural crown was awarded to him, was not anywhere to be found.

This battle forms the close of the lay of the Tarquins, as the lay of the Nibelungen ends with the death of all the heroes. I am as strongly convinced of this now as I was eighteen years ago. The earliest period of Roman history is thus terminated, and a new era opens upon us. There is no definite time to which the battle can be assigned; some suppose it to have taken place in A.U. 255, others in A.U. 258. Some represent Postumius as consul, others as dictator, a sufficient proof that the account is not historical, for if it were, the Fasti would at any rate have accurately marked such an event. It is not impossible that peace with the Latins was restored in A.U. 259; and if we were to take this statement literally, it would confirm the victory of lake Regillus. It might be conceived that the Latins were defeated there, and submitted to the condition which Tarquinius had established for them; but that afterwards the senate, from other motives, restored to them the constitution of Servius Tullius; be this as it may, peace was renewed between the Romans and Latins before the secession of the plebes. For many years after the battle of lake Regillus, Livy records nothing about the Latins, whereas Dionysius relates a variety of events which however are arbitrary inventions: even down to the first resolution of the people that their prisoners should be restored to them, we know nothing of the history of this period, except that under Sp. Cassius,

Rome concluded a treaty with the Latins, in which the right of isopolity or the *jus municipi* was conceded to them. The idea of isopolity changed in the course of time, but its essential features in early times were these: between the Romans and Latins and between the Romans and Caerites there existed this arrangement, that any citizen of the one state who wished to settle in the other, might forthwith be able to exercise there the rights of a citizen. This was called by the Greeks *ισπολιτεία*, a word which does not occur till the time of Philip, when people began to feel the want of uniting in larger communities or states. Even before the war, a definite relation had existed between Rome and Latium, in which the *connubium* and *commercium* were recognised, the citizens of one state having the full right of acquiring quiritarian property in the other, of carrying on any trade and of conducting their law-suits in person and without a patron: they were in fact full citizens, with the exception of political rights. Such a relation may exist along with equality between the two states as well as with the supremacy of one; the change which now took place was that Rome recognised Latium as possessing equal rights with herself. Soon after the Hernicans also joined the league, so that then all the three states appeared in foreign matters as one state. This union ceased after the Gallic war. The treaty of Sp. Cassius in A.U. 261 is not to be regarded as a treaty of peace, but as the foundation of a legal relation; it is inconceivable how this treaty could have been mistaken, as was done even by the ancients, when they incidentally mention it. Dionysius quotes this treaty in words which display undoubted authenticity: he himself indeed can never have seen the tables in the *rostra*, for even Cicero in his speech for Balbus speaks of them in a manner which shews that he merely remembered having seen them; but many Roman authors, as Macer and others, must have known them, and Cincius, who lived two hundred years before, was well acquainted with them.



This, like the Swiss treaties, may be called an eternal treaty, for it was to remain in force as long as heaven and earth endured. But thirty years afterwards it became antiquated through the influence of circumstances, and at a later period it was restored only for a short time. It established perfect equality between the Romans and Latins, which even went so far as to make them take the supreme command of the armies alternately. Either state when in distress was to be supported by the other with all its powers, and the booty was to be divided.

This treaty contains the key to the understanding of another event. It is about this time that we first meet with a dictator, which was properly speaking a Latin magistracy, and existed not only in particular towns, but might, as Cato states, rule over the whole Latin people. It is therefore probable that the Romans likewise now elected a dictator, who ruled alternately with a Latin one, whence the *imperium* was conferred for six months only. Among the Etruscans, the king of each town had one lictor, and the lictors of all the twelve towns, when they united for any common purpose, were at the disposal of the one common sovereign. In like manner, the twelve Latin and the twelve Roman lictors were given to the common dictator: the two consuls together had only twelve lictors, who attended upon each alternately. At that time we also find frequent mention of a *magister populi*; it is uncertain whether he was from the beginning the same person as the dictator, or whether he was elected from Rome alone, the dictatorship probably existing only in consequence of the connection with Latium. A consul might have been dictator without there necessarily being a *magister populi*; but whenever there was a *magister populi*, there must necessarily have been a dictator to represent Rome in transactions with foreign nations; for it is not natural that there should have been two names for the same office. It is probable that for a time there was a dictator every year, that office being sometimes

given to one of the consuls, and sometimes to a person especially elected.

In the history of the period which now follows, we find ourselves upon real historical ground: we may henceforth speak with certainty of men and events, although now and then fables were still introduced into the *Fasti*. That errors did creep in is no more than the common lot of all human affairs, and we must from this point treat the history of Rome like every other history, and not make it the subject of shallow scepticism to which it has already been too much sacrificed. A new war broke out in which Cora and Pometia fell into the hands of the Auruncans: afterwards these towns are said to have been recovered by the Romans and Latins, a statement which is very problematical. At the beginning of this period we still meet with great discrepancies and absurdities; but of what consequence is it that Livy relates this war twice, or whether it happened in A.U. 251 or A.U. 258. We may safely assert that there was an Auruncan war, that Cora and Pometia were lost, but afterwards recovered. It is a singular thing that when a great loss was simply marked in the ancient annals of the Romans, the vanity of their descendants could not leave it as it stood, but attempted to compensate for the calamity by a bold lie. The deliverance of the city by Camillus is the most striking, though not the only instance in Roman history of this propensity; and Beaufort has well demonstrated its fictitious character; the account is in itself inconceivable, and is contradicted by Polybius, who states that the Gauls returned with the booty to their own country in consequence of an inroad of the Veneti; I do not mean to say that in this case the falsifier was not one of the ancient bards, for Camillus was as much a subject of poetry as the taking of Veii. In like manner every great defeat in the Samnite wars which cannot be concealed, is followed by a victory which is altogether unconnected with the course of events, and is intended to make up for the loss. The same thing occurs in the wars

with the Volscians and Aequians. This is a common human weakness, which in disastrous times we ourselves may experience. The Italians of the fifteenth century insisted upon being the genuine descendants of the ancient Romans; and accordingly Flavius Blondus says that Charlemagne drove all the Lombards and other barbarians from Italy. When the news of the battle of Austerlitz arrived in the north of Germany, it was received with the greatest consternation; but a report soon spread and found its way even into the newspapers, that the French had gained a victory in the morning indeed, but that in the afternoon the Austrians and a part of the Russians rallied and most completely defeated the French. I witnessed similar absurdities in 1801 at Copenhagen. The history of Greece and of the middle ages is remarkably free of such fictions.

I therefore believe in the invasion of the Auruncans: when Rome was laid low by the Etruscans, she was forsaken not only by the thirty towns, whose common sanctuary was the temple of Ferentina, but also by the coast towns which had been Latin, and were recognised in the treaty with Carthage as being under the protection of Rome. There is little doubt that Antium and Terracina, like the Latin towns, properly so called, shook off the Roman supremacy and expelled the colonists. Both these towns were afterwards unquestionably Volscian, but it is an

erroneous opinion that they were so originally; they form no exception to the general Tyrrhenian population of the coast. In an ancient Greek ethnological work which was certainly not an invention of Xenagoras, but was derived from Italiot authorities, Antium is described as a town of the same stock as Rome and Ardea; and Romus, Antias and Ardeas are brothers. Terracina did not receive its Volscian name of Anxur till afterwards. These places became Volscian either by conquest or by voluntarily receiving Volscian *epoeci*, because they were in want of support, or lastly by being obliged after their revolt from Rome to throw themselves into the arms of the Volscians.

The Volscians were an Ausonian people, and identical with the Auruncans, so that the same war is sometimes called Volscian, sometimes Auruncan. They are said to have come from Campania, and the Auruncans in Campania are known to have been Ausonians, *Aurunici* and *Ausonici* being the same words. Cora and Pometia, two Latin colonies, are stated to have revolted to them; but we cannot determine whether they expelled the Latin colonists, or whether the taking of these places was a mere conquest. It is certain however that the Auruncans were in possession of Cora and Pometia, and penetrated even into Latium, where it is not impossible that they may have been defeated by the Romans.

## LECTURE XXVI.

SALLUST, who in the introduction of his lost history of the period subsequent to the death of Sulla gave, like Thucydides, a brief survey of the moral and political history of his nation, which is preserved in St. Augustin, says that Rome was ruled fairly and justly only so long as there was a fear of Tarquinius; but that as soon as this fear was removed, the

*patres*<sup>1</sup> indulged in every kind of tyranny and arrogance, and kept the plebes in servile submission by the severity of the law of debt. In like manner, Livy states that the plebes, who down to the destruction of the

<sup>1</sup> That is, the patricians; for all correct writers use the term *patres* only of the patricians and not of the senate.—N.

Tarquins had been courted with the greatest care, were immediately afterwards oppressed; that until then the salt which belonged to the *publicum* had been sold at a low price, that tolls had been abolished, and that the king's domain had been distributed among the plebeians, in short the *φιλάνθρωπα δίκαια* of Servius Tullius had been restored. Lastly, we must notice the ancient tradition, that Brutus completed the senate, *qui imminutus erat*, with plebeians: as he was *tribunus celerum* of the plebeians and afterwards plebeian consul, it is not at all unlikely that he admitted plebeians into the senate, though not such a large number as is stated. But this cannot have been of long duration; plebeian senators cannot have continued to exist down to the decemviral legislation; for Sallust, who in the speech of Macer displays an uncommon knowledge of the ancient constitution, says, and his statement is believed by St. Augustin, one of the greatest minds endowed with the keenest judgment, that the patricians *soli in imperiis habitabant*; whence it is probable that when things became quiet, they expelled the plebeians. Analogies are found in the histories of all countries, just because it is in accordance with human nature. There can be no doubt that a strong party of the exiled royal family had remained behind, as usually happens in all revolutions, or a new party may have formed and joined the exiles, as in the Italian towns of the middle ages. Whatever we may think of the battle of lake Regillus, and however little we may believe in the existence of a cohort of Roman emigrants in the army of the Latins, we may with confidence assume that the royal exiles were joined by a large number of Romans, who continued to keep up a connection with persons of the same party in the city, as did the *φυγάδες* in Greece; and as was the case in the great rebellion in Britain, when the Stuarts were abroad, and the Irish catholics and the Scotch presbyterians, who were subdued and partly expelled by Cromwell, joined the ancient nobles who were

scattered about with the royal family; the same thing took place in the French revolution also. As long as Tarquinius, who was personally a great man, lived, the patricians hesitated to go to extremes in their innovations, though they insulted the plebeians and deprived them of the *imperia*; they may even have expelled them from the senate, and they certainly did not fill up with plebeians those places which became vacant by death. The aristocratic cantons in Switzerland were always mild towards the commonalty when they were threatened by outward dangers, otherwise they were harsh and cruel; so also, immediately after the English revolution of 1688 the rights of the dissenters were far greater than twelve or fifteen years later. What particular rights the plebeians may have lost cannot be said; it is not improbable that the Valerian law respecting the appeal to the tribes was formally repealed; but that law had previously become a dead letter, because it could be maintained only by bringing a charge after the expiration of his office against the consul who had acted contrary to it; and this was a step which the plebeian magistrates no longer dared to take. But the real oppression did not begin till the fear of an enemy from without was removed.

Whether the law of debt had been altered by Servius Tullius, whether Tarquinius had abolished the Servian laws, and whether Valerius restored them, are questions in regard to which we cannot believe Dionysius unconditionally. Tarquinius is said to have completely destroyed the tables on which the Servian law was written, in order to efface the recollection of it. This sounds very suspicious; for if only a single person had taken a copy, the king's measure would have been of no avail; we may however infer from this statement that the law was not contained in the *jus Papirianum*: the plebes would surely have restored it after the secession, if they had been deprived of a right so expressly granted to them. It would therefore seem that we here have one of the plebeian forgeries.

The consequence of the law of debt was a revolution. Had the senate and the patricians known how to act with prudence, and had they divided the opposition party, a thing which is very easy in free states, the patricians would have been superior to the plebeians, not indeed in numbers but in many other respects; for the patricians were almost the only citizens that had clients, and there are many passages in Livy and Dionysius, from which it is evident that during the first centuries of Rome the number of clients was very great, that the patricians distributed the domain land in many small farms among them, and that they had them entirely in their power. These clients were not contained in the tribes, but through their patrons they were connected with the curies; they did not hold any hereditary property in land except by special permission of their patrons, so that they were altogether dependent on the patricians. The plebeians, on the other hand, consisted of quite different elements, Latin equites, wealthy persons, and a number of poor people; they were either landed proprietors or free labourers. These various elements might easily have been separated; those who occupied a high station were ambitious to obtain offices and influence in the state, while the common people were unconcerned as to whether the first among them could obtain the consulship or not, but were anxious about very different things: the patricians with their want of patriotism and justice might thus easily have separated the mass from the noble plebeians; but their avarice was as great as their ambition, and thereby they oppressed the people doubly. The whole of the domain land was in their possession, and if they had given up to the poor small portions of it, they would have gained them over to their side and thus detached them from the rest of the plebeians; but as the patricians had exclusive possession of all the trade in money, they considered themselves sufficiently safe. The trade in money was undoubtedly of such a kind that all banking business was carried

on by foreigners, or freedmen under the protection of a patrician, as at Athens by Pasion, who was a *metoecus*, and paid an Athenian citizen for allowing him the use of his name.<sup>2</sup> All money transactions at Athens were in the hands of the *trapezitai*; in Italy, during the middle ages, in those of the Lombards; and in our days in those of the Jews, none of whom have real homes: a poor plebeian may often have tried to borrow money of his neighbours, but was more frequently obliged to go to the city and procure the money at the bankers.

The expression *persona*, in legal phraseology, arose from the fact that a foreigner was not allowed to plead his own case in a court of justice; and as another was obliged to do it for him, he made use of a *mask* so to speak; the fact that in later times a *peregrinus* could act for himself, and that a *praetor peregrinus* was appointed for this very purpose, did not arise from the multitude of business, but from political causes. The patricians themselves cannot have possessed very large sums of money; but foreigners who went to Rome were obliged, like the clients, to place themselves under their protection; for which the patricians of course received a compensation in money. It may, however, have happened now and then that patricians did business on their own account. According to this view, then, their usury was, after all, not so sordid as is commonly supposed.

The civil law for patricians was quite different from that for plebeians, since they had come together from different states; the twelve tables which laid the foundation of the political principles by which Rome was to be governed, also first introduced one civil law for all. Among our own ancestors, too, the law was not varied according to geographical position, but according to persons. The native population of Italy down to the twelfth century had the Roman law, while the Germanic population

<sup>2</sup> Boeckh, *Publ. Econ. of Athens*, p. 480, second edit.



had the Lombardic and Salic laws; but when the ancient municipalities were abolished and the different elements united, it became customary to draw up regulations binding upon the whole population; the people more and more forgot their old peculiar institutions, and thus gradually arose the statutes of each of the Italian towns. The law of debt for the patricians was liberal, but that affecting the plebeians was severe; it was in force among the plebeians themselves, but became dangerous to them only in as far as it also existed between them and the patricians. As soon as there is a possibility of becoming involved in debt, the number of small landed proprietors decreases from century to century. A comparison of the registers of Tivoli in the fifteenth century with those of the present day, shows that the number of landed proprietors was then fifty times greater than at present.

The general law of debt which is found in the East, among the Greeks and the Northern nations, as well as among the Romans, was, that the person who borrowed money pledged himself and his family for the debt. Plutarch, in the life of Solon, relates that at Athens there were nearly a thousand bondmen for debt, who, unless they were able to pay, were sold into slavery. Among the Romans this personal responsibility existed in the most rigorous form: a man might pay his debt by personal labour, or sell his property for a certain time, or, if the case was a very hard one, for life, or even sell his own person, whereby his children who were yet in their father's power, likewise, *per aes et libram*, came into the *mancipium* of the purchaser, but on condition of their being permitted to ransom themselves. In this state a person continued until he recovered himself *per aes et libram*. The personal imprisonment of insolvent debtors in our own times is a remnant of that ancient law, but has become meaningless, because a more humane feeling has abrogated the other part. The ancient Germans too might transfer their free allodia and their persons to another, and become his clients.

In order to escape becoming an *addictus*, a man who borrowed money might sell his property for a time as security, but then he was bound in conscience to redeem it after a certain period. *Fides* obliged the creditor not to deprive the debtor of the opportunity of ransoming himself, his family, or his property; hence *Fides* was so important a goddess among the Romans, and without her, the severity of the law would have ruined everything. If a person failed to pay his debt, his person was forfeited to his creditor, that is, he became *fiduciarius* in his *mancipium*; this, however, could not be done simply by *manum injicere*, but required the addition by the praetor; the creditor claimed the debtor's person with these words: *Hunc ego hominem meum esse aio ex jure Quiritium*, at which declaration the five witnesses and the *libripens* before whom the contract had been concluded, had undoubtedly to be present. The praetor then fixed a time, and if after its expiration payment was not made, and the debtor was unable to prove the *liberatio per aes et libram*, he was addicted to his creditor. The ancient Attic law was just the same; but Solon abolished it and introduced in its stead the Attic law of security, from which the later Roman law was derived; for the equites in their important money transactions endeavoured to escape from the severity of the law of debt, by appointing foreigners as their agents, who were not subject to the Roman law. Hence arose the laws respecting the *chirographa* and *centesimae*, for at Rome small discount business was not done at all. The *addictus* was called *nexus* because he was *nexus vinctus*: *nexus* or *nexum* originally denoted every transaction that was made in the presence of witnesses by *traditio* and by weighing the money, which afterwards was customary only in cases of fictitious purchases, whereby a certain right of property was secured to the creditor in case of a neglect of payment.

A debtor might frequently pay his debt by labour, and an able-bodied

man might employ his service very usefully at times when labour fetched high wages ; supposing the son of an old man who had pledged himself was strong, the father would sell him to his creditor, and when the debt was paid by his labour he became free again. But the interest increased so enormously, that it was very difficult for a poor debtor to get rid of his burthen ; if however he worked as a *nexus*, he at least paid the interest. During the period of such labour, his creditor exercised over him all the authority of a master over his slave. The numerous class of persons who paid the debts of others in labour is expressly mentioned by the ancients.

Bondage for debt, however, might also arise in another way. A person might become a debtor even without a contract ; for example, by neglecting to pay a legacy, or the wages of a labourer engaged in his service ; moreover, if a person committed a crime he was, according to the Roman law, obliged to pay to the injured party a certain compensation, *obligatio ex delicto*. All these circumstances constituted a second class of debtors ; and in these cases there existed *addictio* without *nexus*, as was established by the twelve tables. The praetor condemned a thief to pay to the person robbed double the amount of the stolen property ; and if this was not done within a fixed period, he assigned him to the injured party as a bondman. In like manner, if a person asserted that another had purchased a thing from him without paying for it, and if the latter could not deny the debt (*aes confessum*), the creditor might demand the debtor's *addiction* for a time (*vinculum fidei*), whereby the other was naturally frightened to such a degree that he made every effort to pay. It is only to such cases that the expression *vinculum fidei* referred, and not to the *nexus* ; for in the former, a *vinculatio* might take place, and the keeping of a contract is out of the question. When a Roman stood *in nexu*, that is, when he had sold himself to another

in case of his being insolvent, as the Merchant of Venice did to Shylock, he pledged his property in land, however much it might be burthened with debts, for the law of the twelve tables was *nexo solutoque idem jus esto* ; the *addictus* was in quite a different condition, for he belonged to his creditor and had no power over his own person. In this manner, we may clear up the mystery which appears in our books, when we read that debtors who had sold themselves (that is *nexi*) nevertheless served in the legions.<sup>3</sup> Livy does not enter into the question, because he does not see the difficulty ; and Dionysius, who does see it, gets into inextricable perplexities.

This law of debt was in a certain sense as necessary as our strict laws relating to bills of exchange ; but abuse is unavoidable, for the wealthy are not always merciful, but harsh, and keep to the severity of the law. The worship of Mammon prevailed at Rome as much as in some modern countries, and the severity of the actual law was very oppressive ; a further aggravation was its being only one-sided, for when a patrician was in difficulty, his cousins or his clients were obliged to assist him, whereas plebeians were in most cases obliged to borrow money from the patricians. A plebeian, when given over to his creditor, might find himself variously circumstanced : he might indeed have a mild master who allowed him to ransom himself by his labour, but he might also fall into the hands of a heartless tyrant, who locked him up in his *ergastulum*, put him in chains, and by harsh treatment endeavoured to induce his relatives to come forward to liberate him.

<sup>3</sup> Among the commentators of Livy there are ingenious and learned men, who have written on the condition of the *nexi* : but all their investigations have gone in the wrong direction, if we except the explanation given by Doujat. But those who wrote after him did not profit by his teaching, but returned to the old errors, as, for instance, Drakenborch, though he quotes Doujat : a proof how learned men without a knowledge of the world may err in such things.—N.

## LECTURE XXVII.

SUCH was the condition of the law about the year A.U. 260, when all at once a state of extraordinary general distress arose, such as had never existed before, but such as we meet with again about a hundred years later, after the Gallic calamity. The cause of it must be sought for in the war of Porsena, whence we may infer that that war belongs to a considerably later time than that to which it is assigned by Livy. The distress led to disturbances, concerning the origin of which Livy's account may be tolerably well founded. An aged captain covered with scars, had become the bondman of his creditor, because his house had been burnt down and his property carried away; he escaped from the dungeon in which he had been most cruelly treated by his master, and appeared in the market-place famished, covered with rags, and disfigured by bloody stripes. The sight of the man produced a great commotion, and the plebeians generally, both those who were similarly circumstanced and those who were not, refused to obey their tyrants any longer. Livy's account of the manner in which the tumult spread further and further, and how the senate at first provoked the people and was afterwards frightened by them, is exquisitely beautiful, and shews a profound knowledge of human nature; but the detail cannot be regarded as an actual tradition, but is only an historical novel. At the very time when the senate and the consuls had come to the fearful conviction that they could not rule over the commonalty unless it was willing to obey, the Volscians, hearing of the discord at Rome, either actually advanced, or a report was spread by the patricians that they were on their march against Rome. But however this may be, the senate resolved to levy an army. According to the original constitution, the senate alone had not the power to declare war, but

a proposal had to be made to the curies which had to sanction it: according to the Servian legislation, the proposal had to be brought before the centuries also; but these things were then no longer thought of, and the annalists mention only the senate. The senate, then, resolved to levy an army, and as the burden of the infantry fell upon the plebes alone, their juniors were called up according to tribes (*nominatim citabantur*): their answering was called *nomen dare*, and their refusing *nomen abnuere*. Levies were on the whole made in the same manner, down to the latest times of the republic. But when the plebeians, either in consequence of oppression or for other reasons, refused to serve, they did not answer (*non respondebant*); and such a silence was the most awful thing that could happen. As on this occasion, the plebeians did not answer the call, the consuls knew not what to do; and the plebeians loudly shouted that they would not be so foolish as to shed their blood for their tyrants; the booty, they said, was not shared by them, but was transferred to the *publicum* (the chest of the patricians) and not into the *aerarium*, and that they were becoming more and more impoverished, being obliged to pledge themselves and their families to the patricians and serve as bondsmen. The patricians were divided among themselves; and Livy relates that the *minores natu* among the *patres* were particularly vehement in their opposition, by which he probably means the *minores*, that is, the Luceres: young patricians cannot possibly be conceived as members of the senate at that time, for it was then a real *γερουσία*. The consuls (A.U. 259) belonged to different parties; Appius Claudius represented the interests of the wildest oligarchs, while Servilius was mild. As the danger was threatening, mildness alone could lead to a desirable

result, and all attempts to levy the army by force were disgracefully defeated. Servilius then caused himself to be empowered by the senate to act as mediator. By an edict he summoned all whose persons were pledged, and promised them that they, as well as their children and relatives, should be safe as long as the war lasted, during which time no creditor should be allowed to enforce the law. Hereupon the plebeians flocked to the standards in large numbers. With the army thus formed, Servilius marched into the field and returned victorious. After the close of the war, he promised the army to exert all his influence with the senate to obtain the cancelling of the contracts of debt; but the senate granted nothing, the army was disbanded, Appius Claudius undertook the administration of justice, and without any regard to his colleague's promise, consigned all those who had been on the field of battle to their creditors or compelled them to enter into a *nexum*. The remainder of the year passed away in the greatest commotions. The succeeding consuls, A. Virginius and T. Vetusius (A. U. 260), were both moderate men, a proof that they were elected by the centuries; for the curies would have chosen the most infuriated oligarchs. The senate remained obdurate; the consuls could produce no effect upon it or upon the patricians. Another attempt was made to levy an army, but the same difficulties presented themselves; the consuls were accused of cowardice, but those who were presumptuous enough openly to attack the plebes, were in the end obliged to save their lives by flight. The real danger existed only on market days; for the plebes were the peasantry, and had so much to do that they could not come to the city except on market days, and when they were specially summoned. Agriculture in Italy requires extraordinary care, for a good harvest cannot be expected unless the fields are weeded several times during the summer. The Romans plough their fields five, six, or seven times, and continue the weeding until the corn is about three inches

high. It is almost incredible how much labour agriculture requires in the south, though the produce likewise is incredible. Hence the country people were fully occupied the whole year round, and had no time to attend to matters which were not absolutely necessary; the only plebeians generally at Rome, were those residing in the city. Hence the patricians felt safe: they had among themselves vigorous men, and were supported by large numbers of clients, so that the plebeians contained in the four city tribes unquestionably formed the minority, and thus it becomes intelligible how the patricians were enabled to control the plebeians even without a standing or mercenary army. The burghers in German towns likewise, as at Cologne, kept their ascendancy over the commonalty, although the latter was far more numerous. Such a body of oligarchs maintains itself even by its pride and by having many points of union. So long as the nature of the plebes was unknown, it must have been inconceivable that the patricians were not in greater danger, since if in any town the populace (for thus the plebeians are called in some books) rises against the wealthy, the latter are easily overpowered.

As the attempt to levy a second army failed, the question was: What should be done? Some proposed that the promises of Servilius should be kept and the contracts of debt cancelled; but Appius declared that the spirit of the rebels must be broken, and that a dictator ought to be appointed. The dictatorship had been instituted for the purpose of having a magistracy not subject to the restrictions of the consulship, and of avoiding not only an appeal to the curies, but also that to the tribes which had been introduced by Valerius. Appius wished that the dictator should seize and put to death every one that refused to serve; but this senseless advice would have been followed by the most fearful rebellion. The foolish assembly indeed adopted the plan, but the good genius of Rome led the people to elect as dictator



Marcus Valerius,<sup>1</sup> a man distinguished for his mildness and kind feelings towards the plebeians. Some call him a *gentilis*, and others a brother of P. Valerius Poplicola. He renewed the edict of Servilius; and as the Volscians, Aequians, and Sabines were in arms, he formed an army without any difficulty. The statement that it consisted of ten legions is truly ridiculous. He gave to each of the consuls a part of the army, reserving one for himself. The Romans were again victorious, and on his return he demanded of the senate that the promises made to the people should be fulfilled; but the senate disregarded all promises, and declared that the law must be complied with. Valerius might now have joined the plebes or withdrawn: he did the latter, and resigned his dictatorship. One consular army, or perhaps both, were still under arms, and the patricians would not allow them to return, because as long as an army was in the field, they could exercise control over it. Dionysius expressly states that by a Valerian law the consuls had, by virtue of their *imperium*, unlimited power so long as they were at a distance of one mile from Rome, and they could accordingly inflict military punishment upon any one who was obnoxious to them without a court martial. It was for this reason that the senate would not allow the army to return. This was a detestable policy; for the army could not be kept in the field for ever, and the whole safety of the senate depended on the conscientiousness of the plebes, who it was expected would not violate their military oath. The insurrection, however, did break out in the camp, though with great moderation. It is said that the soldiers at first intended to slay the consul, in order to be released from the oath which they had taken to him personally; but they only refused obedience, appointed L. Sicinius Bellutus their leader,

crossed the Anio in a body, and at a distance of three or four miles from it encamped on a hill which was afterwards consecrated, and hence called *Mons Sacer*. The whole plebeian population of the city emigrated and encamped there, and those who remained at Rome consisted of the patricians with their slaves, and of the wives and children of the emigrants.

The patricians however did not take the latter as their hostages; and the plebeians, on their part, abstained from all devastations and only foraged in the neighbourhood to satisfy their immediate wants. The patricians now acted a little more like human beings: as long as their authority was not endangered, they indulged in every kind of effrontery and oppression, as we find was invariably the case down to the passing of the Hortensian law; but as soon as their power was set at defiance, they became pusillanimous, and every new struggle ended in disgrace. They fancied the plebeians would have no courage, and said to one another: "This time they are sure to lay down their arms; we need only assume a threatening attitude." One almost feels giddy at the contemplation of such madness, and yet it will be repeated ever and anon as long as the world lasts. The claims of justice cannot be suppressed by arms; and the patricians forgot that they had to deal with a noble but infuriated animal. When, therefore, the plebeians planted their standards on the sacred mount, the eyes of the patricians were all at once opened. In the city the plebes possessed only two quarters,<sup>2</sup> the Aventine with the Vallis Murcia, and the Esquiline, both very well fortified, provided with gates and unquestionably occupied by armed garrisons. The plebeians therefore might have taken Rome without difficulty, as their friends would have

<sup>1</sup> This is the name given to him in all our authorities; and Dionysius alone less correctly calls him Manius Valerius, which is a mere invention, because Marcus was said to have fallen in the battle of lake Regillus.—N.

<sup>2</sup> In the middle ages, the *popolanti* as far as the Corso were not genuine Romans, but Slavonians and Albanese, who, under Innocent the VIII., had settled there, and continued to speak their own language as late as the fifteenth century.—N.

opened the gates to them; but it would have been necessary to take by storm the other hills, all of which were fortified, as well as the Forum. If the plebeians had done this their country would have perished, for the surrounding nations would not have remained quiet; the conduct of the *patres* therefore appears perfectly mad, and it is inconceivable that the *plebs* once in arms did not proceed further. An explanation seems to be contained in the fact that the Latins were then at peace with Rome; and with their assistance the senate might have defied the plebeians. It is a remarkable phenomenon deserving great attention, that in confederate republics the equality of their constitutions has no influence whatever upon their furnishing mutual aid, for people living under a democratic government frequently

support the aristocratic government of another nation. In the great insurrection of Lucerne and Berne in the year 1657, the democratic cantons supported the oligarchic governments against the peasants. Such phenomena explain how the senate could maintain itself under the circumstances above described; allusions from the annals to this source of strength for the patricians occur in Dionysius, where Appius says, that the Latins would be very willing to support the senate against the commonalty, if the right of isopolity were granted to them. Although the senate and the *patres* made no use of the suggestions, yet it was important for them to know that should matters come to extremities they might have recourse to such an expedient.

## LECTURE XXVIII.

ACCORDING to the statement of Dionysius the secession lasted four months, from August to December; but this is merely a false combination based upon the fact, that the tribunes at all times entered upon their office on the 10th of December. There was also a tradition that the dictator drove in the *clavus* on the ides of September, so that at that time there were no consuls at Rome. The disturbances, moreover, were said to have broken out under the consuls Virginius and Vetusius; Dionysius accordingly concluded that these consuls must have laid down their office at the end of August, and that the insurrection lasted four months. If the office of the tribunes had never been interrupted, it would not be difficult to conceive that the time of their appointment was regulated in the same manner at first as afterwards; but Dionysius overlooked the fact that during the decemvirate the tribuneship was abolished, and it is hardly conceivable that the tribunes should afterwards have re-

entered upon their office on the same day as before,—they undoubtedly resumed their functions as soon as they were again allowed to assemble. The consuls entered upon their office on the 1st of August; and it seems certain that the peace between the two estates was concluded by the new consuls, Vetusius and Virginius. The secession cannot have lasted more than about a fortnight, for the city could not have held out much longer, and a famine would have occurred if the legions had remained in possession of the fields. The rapidity of Livy's account also suggests only a short duration.

I believe it is now generally acknowledged that Roman history henceforth increases in authenticity; where absurdities and impossibilities are mixed up with it, confidence in the whole may indeed be shaken; but if we remove from history that which is strange and incredible, and give a clear exposition of the real relations of life, let no one say that thereby history

is injured or loses in dignity: such sentiments are unhealthy and diseased.

The patricians perceived when too late that they had gone too far, and were compelled to yield: in point of form they were obliged to submit to a great humiliation by sending ambassadors to the plebeians. The list of the ten ambassadors given by Dionysius is certainly authentic and taken from the *libri augurales*: forgeries would indeed have been carried far if such names were spurious. The end of the secession can only be understood by forming a clear notion of the state of affairs: we must remember that the government in the city could not only defend itself but could command also the allies, who had taken their oath to the Roman state, that is to the senate and populus, and looked upon the plebeians as rebels, so that it was by no means the numerical superiority of either of the two estates which decided the question. A formal peace was negotiated by the *feciales* as between two free nations; the patricians sent off ambassadors, and conducted the negotiations, notwithstanding their great humiliation, with a prudence in form which deserves our admiration; their object was to get out of the difficulties in which their mistakes had involved them as cheaply as possible. They could effect the reconciliation only by strengthening themselves externally by their allies, or by dividing the plebeians. To do the latter, two ways were open to them: they might either gain over to their side the plebeians of distinction, whereby, however, they would have weakened their own power, or they might separate the mass of the plebeians from their leaders. The latter was the surest means. The debts of insolvents were cancelled, the *addicti* were declared free, and the *nexum* where it existed was dissolved, but the law of debt was not altered; an amnesty likewise was of course stipulated for. The cancelling of debts was no great loss to the creditors, since the interest paid had long ago exceeded the capital; fifty years later

the rate of interest was reduced to ten per cent., but at that time it may have been fifty per cent. Sully did similar things.

The only permanent result of the secession was the establishment of the office of the *tribuni plebis*, whom we are in the habit of calling tribunes of the people. This was not in reality an innovation: on the restoration of the tribuneship after the second secession, the commonalty had twenty tribunes, that is one for each tribe, two of whom were invested with real power. The tribes consisted of two decuries, and each of them had its president, just as in the senate there were ten decuries, each of which had a *primus*, who together formed the college of the *decem primi*. Symmetrical arrangements occur everywhere in ancient constitutions, whence we may deduce from a given fact one which is not given. When therefore we read that the first tribunes were two in number who elected three more, we may safely infer that of the actual twenty or twenty-one tribunes, these two were the principal, and that under the new circumstances they only advanced to a higher sphere of official activity. The difference undoubtedly was that the earlier tribunes had been elected each by his own tribe, just as the phylarchs in the Greek states were chosen each by his own phyle, whereas the new tribunes were elected by the whole commonalty. The names of the first tribunes are C. Licinius and L. Albinus; and Sicinius, who was the commander of the plebes during their secession, is mentioned as one of the three that were subsequently added. The plebeians who could not recover the rights which the Servian constitution had granted to them were obliged to be content with a protection against oppression, and their new magistracy was therefore instituted *auxilii ferendi gratia*; the persons of the tribunes were by an oath declared inviolable (*corpora sacrosancta*), so that they could step in between the rulers and the oppressed and protect the latter. Considering the *esprit de corps* and the official power of the patricians, a tri-

bune in former times would have had a difficult and useless task in bringing an accusation against a consul, since there existed another consul with equal powers, and both were backed by all the patricians; the consul would have ordered his lictors to seize and chastise a tribune who dared to make an appeal against him to the commonalty. But whoever henceforth laid hands on a tribune was outlawed, and if the consul did not give effect to the declaration of outlawry, the tribune might summon the consul after the expiration of his office before the court of the curies, or perhaps even before that of the tribes. It was formerly customary in speaking of Roman institutions not to make any distinctions between the different periods; thus Justus Lipsius, an ingenious and very learned man, who as a philologist is infinitely above me, has by his authority done much mischief in Roman antiquities: whenever a magistracy or a military arrangement is mentioned, he and his followers speak of it as if it had always existed, and a tribune at the end of the third century is conceived as a magistrate with the same power as in the time of Cicero, as if he had at first possessed the same right of intercession and of making legislative proposals as afterwards.<sup>1</sup> The first tribunes can perhaps scarcely be called a magistracy of the commonalty, and certainly not of the state: they were in fact nothing else but persons in a position analogous to that of a modern ambassador, whose duty it is in a foreign state to protect the subjects of his own sovereign.

Hitherto the patricians had exercised their power without any control, and the plebeians had no share in the administration: hence arose the necessity for a magistracy which should be able to afford protection against magistrates, as well as private individuals, whenever members of the plebeian order should be injured or ill-treated.

The house of a tribune, therefore, was open day and night; he was not allowed to quit the city, but, like a physician, was obliged to be always ready to give his assistance. This idea is grand and peculiarly Roman, for nothing analogous occurs in the whole history of Greece. The tribunes moreover had the right to assemble the commonalty and to bring proposals before it: but at first we find scarcely any traces of this right having been exercised. The resolutions passed by the plebes on the proposal of a tribune were called *plebiscita*, while the resolutions passed by the patricians were termed *leges*. An allusion to this occurs in a passage of Livy, where the Etruscans say that the Romans now consisted of two nations, each with its own magistrates and its own laws, an expression the importance of which Livy did not perceive. It may be said in general that Livy did not alter the materials he found, but only omitted what he thought obscure or unnecessary. The *plebiscita* did not at first affect the whole of the state; and it was not till more than twenty years later that they acquired the character of resolutions, which might become law (A. U. 283). The only real magistrates of the plebeians were the *aediles*, a name which was also given to the local magistrates among the Latins; it is very probable that they acted as judges in disputes among the plebeians themselves, for the tribunes in the earliest times were not judges, though it may sometimes have happened that an appeal from the *aediles* was brought before them. In the civil law no change seems to have been made at that time.

The powers of the tribunes were thus very slender and modest: they were partly of a negative character, and partly administrative in a limited way, but not at all legislative, and I do not believe that the tribunes had the right to propose any change in the civil law even for their own order: however, their power was a seed from which a tree was destined to grow up that was one day to overshadow all others. It is a singular circumstance that the

<sup>1</sup> The same has been the case with Roman topography, for buildings which occur side by side on the Capitol have been regarded as works of the same period; but men of sense like Sarti act in a very different spirit.—N.



election of the tribunes was committed to the centuries, since it would have been far more natural to assign it to the tribes; but this is another proof how small were the advantages which the plebeians obtained by their first secession, for in the centuries the patricians exercised great influence through their clients, and thus about ten years later the patricians even succeeded in forming a party among the tribunes. The statement that they were elected by the curies is obviously false, but we may infer from it at any rate that they required the sanction of the curies, in order to prevent the election of obnoxious persons. The right of *veto* claimed by the English government on the election of Irish Catholic bishops is of the same kind. According to Livy, this original arrangement ceased even before the Publilian law, by which the election was committed to the tribes, and previously to which Piso supposes that there existed only two tribunes. I believe that the number five is indeed of later origin, but I do not think it likely that it did not exist before the Publilian law; for as this number answers to the five classes, how should it have been introduced at a time when the election no longer belonged to the classes, but to the tribes? It seems to me quite probable that the patricians, under the pretext of a fair settlement, contrived to gain some advantage for themselves also, and in this manner I account for the otherwise inexplicable circumstance, that ten years later we find the curies electing the consuls instead of the centuries; it was only a concession made to the plebeians that the election of one consul was given to the centuries, while the other, down to the restoration of the consulship after the time of the decemvirs, remained in the hands of the curies. It is not impossible that an assignment of lands was made; and it is very probable that a promise was given to restore the ancient legal relation of the *ager publicus*. The result of the secession was by no means as decided a victory of the plebeians over the patricians as our historians describe it: a firm basis

had indeed been gained, and the plebeians subsequently made the best use of it, but the fruits could not be reaped without the greatest exertion.

The contract between the two orders was now solemnly concluded, like a peace, by a sacrifice, a *senatus consultum*, and a resolution of the curies on the one hand, and of the plebeians, who were yet in arms, on the other: a curse was pronounced on those who should ever attempt to break the treaty, but the patricians did all they could to shake off the yoke. The deputies of the plebes and the *decem primi* of the senate offered up the sacrifice in common: order returned and the state of affairs improved, but as that which ought to have been done was not done, the causes of new commotions and ferments for a long time to come were left in operation. I have called this treaty a *peace*, a word which is also used elsewhere on similar occasions: the Magna Charta of Liege, establishing the union between the burghers and commonalty, was called *la paix de Fexhe*.<sup>2</sup>

The Latins were now rewarded for the service they had done the senate, as is expressly mentioned by Dionysius on the authority of the excellent document which forms the groundwork of his account: they obtained the right of isopolity (*jus municipii*) in its original meaning, through the treaty of Sp. Cassius, which I have already mentioned.

These events, which we see in a sufficiently clear light, are succeeded by the same darkness as hangs over the preceding period, and for a time we have nothing but the Fasti. Livy relates the history of Coriolanus soon after the peace between the two estates; but this cannot be its proper place. When a leaf of a book has been misplaced, it must be put right, if you do not wish its author to talk nonsense. The same is the case when an historical fact is assigned to a wrong time. I see no reason why I should not believe that during a famine at

<sup>2</sup> The German expression for such a covenant is *Richtung*.—N.

Rome a Siceliot king sent a supply of corn to the city; but tyrants do not appear in Sicily till some Olympiads after the time in which the history of Coriolanus is placed. I believe that Coriolanus was first impeached by the plebes, but no one would have dared to do this before the Publilian law. The Romans under Sp. Cassius could not have disputed about the distribution of the *ager publicus*, if, as we read, the Volscians had advanced as far as Lavinium. I further believe that a L. Junius Brutus introduced the severe punishment for disturbing the tribunes while making their proposals, but he who would assign the history of Coriolanus to the year A.U. 262, could not possibly believe all these points. For this reason, I maintain that the story of Coriolanus does not belong to this period, but to some time after the Publilian law. Cn. or C. Marcius may perhaps have maintained himself in the war against the Antiatans, but he cannot have conquered Corioli, for in the same year this town belonged to

the league of the Latin towns. The whole history must either be rejected as a fiction, or be assigned to quite a different time. But yet another combination has been attempted. The temple of *Fortuna Muliebris* on the Latin road between the fourth and fifth milestone happened to stand on the spot where Coriolanus after his emigration was encamped and became reconciled. Now the entreaties of his mother and the matrons, which may indeed be really historical, were connected with the name of *Fortuna Muliebris*; and it was accordingly believed that that temple, though the time of its foundation was known, had been erected in consequence of the event above referred to. But *Fortuna Muliebris* corresponds to *Fortuna Virilis*, who had her temple at Rome, there being a male and a female divinity like *Tellus* and *Tellumo*, just as the same contrast is expressed in *animus* and *anima*.<sup>3</sup>

<sup>3</sup> See above, p. 108.

## LECTURE XXIX.

LIVY says that he should not wonder, if his readers were wearied by his accounts of the wars with the Volscians and Aequians; and certainly every one must have had this feeling as soon as he became acquainted with Livy. The uniformity of these wars spoils the pleasure we have in reading the first decade. What rendered them tedious to Livy, was the fact that he did not divide them into periods, and as, with the exception of what we read in Dionysius, he is our only authority, it is difficult, and only to a certain degree possible, to obtain a clear view of the wars. The first period extends from A.U. 280 to A.U. 290: the beginning is involved in great obscurity, and the conquests of Tarquinius Superbus are very indefinite; afterwards the Volscians, under the name of Auruncans, invaded the Latin territory; then fol-

low a number of little wars till about A.U. 290, and during the latter years the Volscians appear in possession of Antium, but lost it again. In the second period, things assumed a different aspect: the Aequians took a vigorous part in the Volscian war, Latium was completely crushed, and the war turned out very unfortunately for the Romans, Latins and Hernicans. This lasted till about A.U. 296, when the Romans concluded peace with the Volscians properly so called, and thus warded off the danger. The terms of the peace are very remarkable. In the third period, the Romans continued the war against the Aequians alone; it was not attended with very great danger, and was carried on languidly by both parties. There then followed a fresh Volscian war against the Ecetrans, who were allied with

the Aequians. This period, being the fourth, begins with the great victory of A. Postumius Tubertus (A.U. 324); henceforward the Romans made steady progress until the Gallic war; they took most of the Volscian towns and greatly weakened the Aequians. Then followed the Gallic calamity, in which the Aequians also may have suffered severely. Afterwards (this is the fifth period), the wars break out anew, but with quite a different character: the Aequians were then an insignificant enemy, the Volscians were in reality united with the Latins, and like the Latins themselves, fought for their independence. By dividing the wars into these five periods, they lose their intolerable sameness, and, at the same time, it becomes clear how the Volscians were enabled to maintain themselves.

I shall not dwell upon the details of these wars, for even the strongest memory cannot retain them; nor are the accounts of them authentic, because Livy, being tired of them, read his authorities carelessly, and has given only a hurried description. It must, however, be observed that after the treaty with the Latins, the enemy advanced in great force but made no important conquest until a later period; for Circeii continued to be a Latin town as late as the time of Sp. Cassius.

An event of great relative importance for Rome was the treaty with the Hernicans (A.U. 267). The right of isopolity must have existed between them even before, if it be true that in the reign of Tarquinius Superbus they took part in the festival of Jupiter Latiaris; a Roman tradition mentioned them as allies even of Tullus Hostilius. After the Etruscan calamity, they must have deserted Rome like the Latins and the Tyrrhenian coast towns, but the present treaty restored their old relations in a manner which was most advantageous for them. The Romans, Latins, and Hernicans were put on a footing of perfect equality, and the booty, as well as money and land, was to be divided among them in equal portions; when a colony was

sent out, it received colonists from all the three people. Whether the annalists took a correct view of the matter (Livy and Dionysius differ very much from each other), or whether they merely supposed that as peace was concluded a war must have preceded, cannot be determined; but I am inclined to believe that the alliance was the result of a mutual want, since both nations were surrounded by the Volscians and Aequians, and the fortified towns of the Hernicans were of great importance to the Romans: a war between the Romans and Hernicans would at least have been very foolish. The Hernicans lived in five towns, Anagnia, Alatrum, Ferentina, Frusino and Verulae, which extend from east to west and are remarkable for their cyclopean fortifications. According to statements in Servius and the Veronesian Scholiast on Virgil, whom Mai has edited incorrectly, the Hernicans were descended from the Marsians and Sabines; their name is said to have been derived from *hernae*, which in the Sabine language signified *rocks*.<sup>1</sup> It is strange that a nation in its own language should have designated itself by a mere surname, especially as the Marsians, Marucinians and Pelignians lived on far higher mountains. The Sabine origin of the Hernicans is therefore somewhat suspicious, but still it might be true, even though the derivation of their name were a mere fancy. But another difficulty is this: if they proceeded from the Marsians they must have forced their way through the Aequians, which is quite improbable; and in after-times there appears no connection whatever between them and the Marsians. Julius Hyginus declares them to have been Pelasgians.

The Hernicans were a remarkable people: they resisted the Romans and were respected by them on account of their brilliant valour: the treaty with them is historically certain, and moreover that it was concluded not only with the Romans but also with the Latins; whence they received a third of the booty. But there were never-

<sup>1</sup> Arndt compares the German *Firn*, —N.

theless Roman antiquaries—and Dionysius allowed himself to be deceived by them—who imagined that the Romans alone had the supremacy, and hence received two-thirds of the booty, and the Latins the remaining third; the Romans then, it is said, generously gave to the Hernicans one half of their share. But if the Romans and Latins together concluded an alliance with that brave people, it was no more than just that each of them should give up one-sixth of the booty; and Rome, according to Dionysius' own account, did not possess the supremacy over the Latins at all. The connection must afterwards have been dissolved by some arrangement, but the fact that the Hernicans insisted on retaining their privileges, subsequently led to their destruction.

Sp. Cassius is far the most distinguished man of those times, in the obscure accounts of which the principal memorable events are connected with his name; first the treaty with the Sabines (A. U. 254), undoubtedly with isopolity to judge from the census lists; and next this treaty with the Hernicans. In the latter the relation of Rome to the Hernicans was put upon a footing quite different from what it had been before, just as the relation of Athens to her allies became altered about OI. 100 after the battle of Naxos. When Athens founded her second maritime power, the towns were far less dependent than before, and Demosthenes, in forming his great confederacy, acting with all the wisdom of an intelligent statesman, did not demand the supremacy for Athens, but merely that she should be the soul of the league. Traitors like Aeschines charged him with degrading the dignity of Athens, because the Athenian deputy was not to have more influence than one from a Euboean town: they said that they wished to establish the supremacy of Athens, but they were liars. If Demosthenes had lived in the time of Pericles, I do not think that he would have acted with this spirit of moderation; but his era was one, in which every thing depended upon protecting the liberty and inde-

pendence of Greece against Philip; hence he willingly concluded peace with any town that wished it, and only endeavoured to direct by his intelligence and energy the proceedings of the confederacy. Rome was placed in the same position by Cassius; and from this alone we must see that he was a great man, with a keen eye and a sound judgment. The Etruscan war had destroyed the Roman dominions on the right bank of the Tiber, the Volscians and Aequians were advancing, the coast towns were lost, and Rome was obliged to do not what she wished, but what she could. Later historians, guided by a blind love for their country, wanted to deny such a state of things; and Livy and the writers whom Dionysius followed, were full of absurd admiration of the greatness of their ancestors, and maintained that Rome had never been weak. There may at that time have been fools or people like Aeschines, who declared Cassius a traitor because he regulated his conduct by the circumstances of the case. In his third consulship, after the treaty with the Hernicans, he wished to be just towards the plebeians also, and this leads us to speak of his important agrarian law.

The nations of antiquity, in carrying on war, generally followed a principle of law different from that now in force. We regard war as a single combat between the *genii* of two states or between two imaginary states; the individual is not affected by it in regard to his person, liberty and property, and the law of war accordingly intends that he should be injured as little as possible, and that he should never be the immediate object of hostility; he is endangered only as far as it cannot be avoided. Among the ancients, on the other hand, hostilities affected every one belonging to the state; with us, the conquered state indeed loses its right to rule over the country, while every individual continues to exist, as if no war had taken place; but the ancients entertained quite different views. They took the whole property of the conquered and reduced them to a state of servitude; and this they did



not only in wars of extermination, but even in ordinary wars the inhabitants of a conquered country lost their property: nay even when a place voluntarily surrendered, the inhabitants with their women and children came into the power of the conqueror, as we see from the formula of a *deditio*. In the latter case the conqueror did not make the conquered his slaves, but they became his clients, and their landed property fell entirely into his hands. When such a place had suffered little and seemed to be worth preservation, the Romans sent to it 300 colonists, one from each gens, who were a *φρουρά* or *φυλακή*, and each of whom obtained two jugera of land for a garden; they further undoubtedly received the pasture land, either the whole or at least the greater part of it, and one third of the arable land, the remaining two thirds being left to the former inhabitants. Such was the nature of the original colonists. In other cases no colonists were sent out, it being thought unnecessary to keep a garrison in a place; and then the former inhabitants were sometimes driven out, but sometimes allowed to remain on condition of their paying a tax, usually a tithe. They then continued to live on their former property as tenants at will, who might be dispossessed at the pleasure of their masters. In those districts which had been laid waste in war or from which the inhabitants had been expelled, the Romans acted on a principle which is quite peculiar to themselves, and to which we find no parallel in the history of Greece.

This principle, or the *jus agrarium*, is to me the more interesting, as it was the first point that led me to a critical investigation of Roman history; for in my earlier years I had occupied myself more with the history of Greece. When, as a young man, I read Plutarch's biographies and Appian, the nature of the agrarian law was a perfect riddle to me. It had been believed that its intention was to interfere with property and to fix a certain limit to its extent, so that a person having above 500 *jugera* was deprived of the surplus, which went to increase the possessions

of plebeians at the expense of patrician property. This crude notion of the law met with much favour, as for example, with Machiavelli, who lived in a revolutionary age, and with whom the means sanctified the end; and even with Montesquieu, who however looked upon a repetition of the past as an impossibility, since in his time every idea of revolution was quite foreign to men's minds. His example shows how bold speculative men become in matters which are unknown to them and appear impossible: at that time revolutionary ideas were common in an apparently quite innocent manner, even among men who during the revolution actually embraced the very opposite side. There are persons who in times of peace speak of their fondness for war, and revolutionary ideas were similarly cherished during the profound peace of the eighteenth century. Such ideas, however, were dangerous for Europe, and when the revolution broke out, many persons at first found everything smooth and natural whose hearts were afterwards broken.

As Plutarch and Appian expressly state that the law affected only the *γῆ δημοσία*, it was clear that something else must be understood by it than ordinary property. The first who expressed an opinion that it referred to the *ager publicus* was Heyne, in a program which he wrote at the time of the revolutionary confiscations; but the question, what is the *ager publicus* remained unexamined, as in general Heyne often saw what was right, but rarely carried it out. The historians who after him wrote about the Gracchi, were quite in the dark respecting the agrarian law. Once, when I did not yet see my way in these difficulties, I asked the great Fr. A. Wolf about it; but he, with all his extraordinary intellectual powers, had the weakness to wish it to be believed that he knew everything, and accordingly not knowing what answer to give me, he assumed an air of not wishing to betray his secret, and said, "I shall one day write about it." It was by a mere accident that I was led to see the real nature of the *ager publicus*. It was at

the time when servitude was abolished in Holstein: the peasants, both serfs and freemen, who had before transmitted their estates as an inheritance from father to son, were deprived of their possessions, and arbitrarily transferred to smaller and inferior estates, while their former possessions were thrown into large farms. These were revolting proceedings: in some places the peasants opposed them, but were punished in consequence, and the same was done even with estates occupied by freemen. My feelings were roused with the highest indignation, and the question naturally presented itself to my mind: "What right have they to act in this manner?" This led me to an investigation about leasehold property among different nations, and thus I came to consider the *ager publicus* among the Romans.

The general idea of the Italian nations was that the franchise was inseparable from the soil, and that all property in land proceeded from the state. The soil was only the *substratum* on which the pre-conceived citizenship rested. This bears a great resemblance to the feudal notions: for according to the strict feudal law there was no land at all without its feudal lord, all land proceeded from the sovereign as the supreme feudal lord, and then came the under-tenures, though practically this idea never existed in its full rigour. Another analogy occurs in the East, especially in the East Indies, where the sovereign is the real owner of the soil, and the peasant possesses it only on precarious tenure. In the same manner, all landed property among the Italian nations proceeded from the state.

## LECTURE XXX.

WHEN we read in Appian the statement that the *ager publicus* was partly used for colonies and domain land, and partly let to farm (the latter statement is found in Plutarch only), we naturally ask, How is it possible that difficulties could arise? The Roman republic had only to make the law that no one should have more than a certain number of lots, and all evil consequences were prevented. But the fact is, that Appian and Plutarch misunderstood the ambiguous expression of their predecessor.<sup>1</sup> I am not talking here about the letting of a piece of land to farm, but of a tax which was imposed on the estates; of corn the tenth (*decuma*), of fruit-bearing trees the fifth (*quinta*), and of other things in proportion. Now if the corn was delivered in kind, the state must have

built large store-houses; for the cattle grazing-money had to be paid, and this of course yielded a different return in different years. For these reasons a new system was adopted, and the produce of those taxes was let in farm to *publicani*. The forms of the Roman constitution have nearly always some analogy in the Greek states; and this is often the case in the civil law also, but in the agrarian law the Romans are quite peculiar. A Greek state conquered a country and founded colonies in it, but the *possessio agri publici* was not known among them, and there is only a single instance in which something similar occurs. From Xenophon's *Anabasis* we see that he consecrated an estate at Scillus to the Ephesian Artemis; the temple did not let this estate to farm, but received a tithe of its produce; and this tithe was farmed. It was not the whole produce of such an estate, but only a portion of it, that was given as an offering to the deity, just as a victim was never offered as a δόλοκαυστον, but only a part of it was burnt in

<sup>1</sup> One clearly sees that this is not an invention of Appian, but an extract from the history of the Gracchi by Posidonius, who was not inferior to Polybius, and whom Appian follows for that period, as, for the preceding one, he followed Dionysius, Polybius, Fabius, and lastly, it would seem, Rutilius.—N.

honour of the divinity. According to the Roman law, the state did not take from that which was *publicum* the highest possible amount of produce, but made known that every *Romanus Quiris*, who wished to cultivate a part of the conquered territory, might take it: this was the *occupatio agri publici*; the right belonged at first to the patricians only as the most ancient citizens, who might occupy a piece of land wherever they pleased. Such land was for the most part on the hostile frontier and in a state of devastation in consequence of war, whence the competition for it was not very great. There is no doubt that from the first the occupant was under the obligation of paying the *decuma* and *quinta*. It has always been overlooked that it was this rent which was let to farm by the government.

The expressions *agrum locare* and *agrum vendere* are synonymous, and have the same meaning as *fructus agri vendere* and *agrum fruendum locare*. A person in the possession of such an estate might in fact look upon it as his property as far as any third party was concerned, just like a leaseholder, from whom the owner may take the estate on certain conditions, but who is perfectly protected against any other party. This protection was afforded among the Romans by the possessorial interdicts, so that the possession became heritable also. The state, on the other hand, might step in at any time and say, "I want to establish a colony here or distribute the land *viritim*, and the occupant must make room;" to such a declaration by the state the occupant could make no opposition. It is, therefore, clear that the state could always dispose of the *ager publicus* and declare for example, that no more than a certain number of *jugera* should be in the hands of an individual, because others would thereby be excluded, and because the excessive influence of one person through the immense number of his clients, might become dangerous to the state.

This is the great difference between property and mere *possessio*. The

*possessio* was given by the praetor through the edict by which a person was called upon to take it; and the praetorian *jus haereditatis* in its origin refers to this *possessio* alone: the praetor gave *possessionem bonorum secundum tabulas*. A person might by his will bequeath his property to whomsoever he pleased; but the *possessio* could be transferred to another only by sale in the presence of witnesses and by a fair contract; he who received it, proved his legal acceptance, and protected himself in his possession by the possessorial interdict; he had also witnesses that he had acquired the possession, *neque vi neque clam neque precario*. But what was to be done when the possessor died? By his will he might disinherit his children altogether, and leave his *property* to the most unworthy individual, without the praetor in early times having power to interfere; but in the case of *possessio*, of which he was the exclusive source, the praetor could interfere and give his decision according to a principle quite different from that applied to property, just as the Lord Chancellor of England decides according to equity. Even those who, like Livy and Dionysius, entertain an unfair opinion of the plebes and the tribunes, cannot deny that the patricians were usurpers of the public land; and yet, according to the letter of the law, they might claim it, and hence it may readily be conceived that they appeared to be perfectly just and honest men. It is an important advantage gained by the study of history, that we learn to judge fairly of men, and arrive at the conviction that honest men may belong to the most opposite parties, their worth being altogether irrespective of their party colours. This may be applied to the patricians; and when Livy and Dionysius, though both are anti-plebeian, say that the *ager publicus* was occupied *per injuriam* and ὑπὸ τῶν ἀναιδεστᾶτων πατρικίων, they are unjust in their expressions, as will be seen, if we go back to the original state of things.

According to the oldest law, none

but the original Roman citizens of the three ancient tribes, that is the patricians, could be admitted to the *possessio*; they received from the praetor as much land without any fixed limits as they thought they could cultivate; they paid nothing for it, and had only to employ their capital to render the land productive. But by the side of the *populus*, there now arose the *plebes* who constituted the real strength of Rome, formed the whole of the infantry, shed their blood in the wars, and made the conquests; the *plebes*, therefore, had an indisputable right to have their share in the conquests, which however the patricians continued to regard as their own exclusive property. There are distinct indications that even Servius Tullius had determined that no unlimited distributions should be made, but that one portion of the conquered territory should remain in the hands of the state, and the other be distributed among the *plebeians* as their real property. Squares were formed according to the rules of the science of the augurs, the lots were numbered and given to those who were to have shares; each lot consisted of a square (*centuria*). This is the origin of the division and assignment of land (*assignatio*), and of the law of Servius Tullius which was inseparably connected with the constitution of the *plebes*. Sallust's expressions would lead us to conjecture that after the banishment of the kings, the Servian regulation was renewed. But the patricians again deprived the *plebeians* of this advantage, and it was only the *ager regius* that was distributed; afterwards all conquered lands remained in the hands of the patricians, who even exempted themselves from paying the tithe. The tribunes were anything but mutineers, and being the natural representatives of their order, they only wished to enforce its rights. It is not impossible that the loss of a third of the Roman territory in the Etruscan war fell particularly hard upon the *plebeians*.

Sp. Cassius was the first who proposed an agrarian law, first to the

senate, then to the *curies*, and at last to the *centuries*; or perhaps, first to the *centuries* and afterwards to the *curies*. This proposal was to re-enact the Servian law, to restore the *decuma* and *quinta*, to sell a portion of the conquered land, and to measure out and distribute the rest among the *plebes*. This is all we know about the Cassian law; the rest of Dionysius' statement shews, as, after mature deliberation, I can confidently assert, the distinct marks of a writer of the second half of the seventh century, and is compiled with great ignorance of the ancient times. The *senatus consultum* of which he speaks is utterly without foundation. The law respecting the distribution of land is so closely connected with the whole fate of the *plebeians*, that it was probably talked of even in the negotiations for the peace on the Sacred Mount; but under Cassius it became a reality. There is every appearance that it was passed, for down to the time of the *decemvirs* the agrarian law is mentioned as a right possessed by the *plebes*, though they were not allowed the enjoyment of it. Cassius thus appears as a very remarkable man; Cicero mentions him as a well-known person, and yet he is little spoken of.

It is an historical fact, that in the following year, Sp. Cassius was executed for high treason, and that out of his property (*ex Cassiana familia*) an offering was dedicated in the temple of Tellus in the *Carinae*. It seems probable that his execution by his own father was an invention made to soften down the glaring injustice of the deed. Even Dionysius is justly struck by the fact that Cassius, who had then been thrice consul, should have been put to death by his father; the *leges annales*, it is true, did not exist at that time, but it is nevertheless incredible that a man who had been thrice consul, and had celebrated a triumph, should still have been in his father's power. Another tradition followed by Dionysius and Cicero somewhat softens the account: the father of Sp. Cassius, it is said, declared in court that he considered his son guilty, and the latter



was accordingly executed. The truth is that the *quaestores parricidii* summoned Cassius before the curies, and that the curies as his peers sentenced him to death. Thus the matter becomes intelligible: he had most deeply wounded the members of his own order, who were delighted to take vengeance on him. Dionysius is puzzled by the account; but Livy avoids the difficulty by representing Cassius as having been condemned by the plebes, because the tribunes were envious of him,—as if at that time the tribunes had had the power to make such proposals! The question as to whether he was guilty or not was discussed by the ancients themselves: Dionysius considered him guilty, Dion Cassius thought him innocent, but God alone can know the truth. What he did was an act of the purest justice, but the same action may proceed from the best as well as from the worst motives, and it is just as possible that he may have wished to promote the good of the state, as that he may have aimed at the kingly dignity. To suppose that he entertained such a thought was by no means so absurd twenty-five years after the banishment of the kings, as it was seventy years later in the case of Sp. Maelius. Cassius was a very important man, otherwise he would not have been thrice consul, which for those times was something unheard of: with the exception of P. Valerius Poplicola no one had been so often invested with the consulship, and even in his case the Fasti are very uncertain. The manner in which Cassius concluded his treaties affords proof of a great soul; it is, therefore, very

possible that he had the purest intentions of wisdom and justice; for considering the spreading of the Volscians, the situation of Rome was far from being without danger; and it was necessary to keep all its strength together. A great man unquestionably he was, whether he was guilty or not guilty, and the faction which condemned him was detestable. Dionysius has the strange statement that Cassius had children and that their execution also was talked of, but that they were spared, and that thenceforward the same mercy was shewn to the children of all criminals. This looks as if it were taken from the law books and resembles a new legal statute, but it may have been something quite different: we shall afterwards meet with a son of Sp. Cassius, and that in a place where we should least expect it. It is probable that the judge L. Cassius Longinus, A.U. 640, whose severity was almost cruelty, as well as the murderer of Julius Caesar, was descended from his gens: no wonder that this family attached itself to the plebes. The condemnation of Sp. Cassius by a Fabius laid the foundation of the greatness of the Fabian family, a greatness to which there is no parallel in the Roman Fasti: for seven successive years (A.U. 269-275) one of the consuls was always a Fabius, just as a Valerius had been for five years at the beginning of the republic. The conclusion, therefore, naturally is that the Fabii were then in possession of supremacy, and that the tribe of the Tities was represented by them.

## LECTURE XXXI.

ONE of the disadvantages of a free government is the extraordinary difficulty of correcting any mistake that has been committed ; the efforts of the government to make amends are rarely acknowledged by the people. An absolute prince may do so without weakening his authority or incurring any danger ; but in a republic the case is different : if the people were good-natured and conscientious enough to offer the hand of reconciliation, things might go on well, but it is not so ; when a government wishes to make amends to those whom it has offended, the first step the latter take is revenge. This consideration, especially if Sp. Cassius did fall a quite innocent victim, must serve to excuse the Roman rulers for committing a fresh act of violence after his death, and altering the constitution to their own advantage ; for the government could not stop where it was, and least of all if it was conscious of a crime ; for if they had allowed the constitution to remain unchanged, it was reasonable to expect that in the free election of the consuls by the centuries the plebeians would elect from among the patricians none but men like Sp. Cassius. They were obliged to do what Dionysius expresses so strangely in saying that the plebes withdrew from the elections, and that the noblest alone took part in them ; as if by the Servian constitution, any one except the nobles could ever have decided a question ! The real state of the case is quite different ; and I shall relate it as it actually occurred, reserving my proofs for another place.

In the year after the death of Cassius, or even in the very same year, when consuls were to be elected, the election was not made by the centuries, but the senate nominated the candidates, and the curies confirmed them. But this gave rise to the bitterest disputes between the plebes, who were

led by the tribunes, and the consuls : for although the tribunes at that time still required the sanction of the curies, yet the injustice was so great, that not even the mildest could have borne it. Hence the character of the tribuneships now became suddenly changed : up to this time there is no trace of tribunitian commotions. But now the honor of their order was too much insulted, for on the one hand the agrarian law was not carried into effect ; and on the other, the government was in the hands of consuls who had been illegally elected. Accordingly the tribune Ti. Pontificius refused to allow a levy to be made, because the people were not bound to serve under an illegal government : the ancient annals would hardly have preserved his name if his opposition had not been the first that ever proceeded from a tribune. But an army was levied by force, the consuls either openly defying the tribunes and ordering the men who refused to answer to be seized and chastised, or causing the houses of those who lived in the country to be set on fire and their cattle to be taken away, or lastly transferring the place where the levy was to be made from the city to the country, whither the tribunitian power did not extend. When in this manner an army had been raised, the despair of the plebeians went so far that they would rather allow themselves to be butchered by the enemy, than fight for their tyrants. This exasperation continued for two years, and in the end rose to such a pitch, that the senate, as though it were a concession, consented that one of the consuls should, perhaps without a *senatus consultum*, be elected by the centuries. The consequence was that the consul elected by the centuries met with no opposition on the part of the plebeians, while they resisted the other in every possible way. However, the times

were so bad, and the surrounding nations acted with such boldness towards Rome, that the tribunes themselves saw, that it would be better to put up with injustice than to allow the republic to perish. The plebes accordingly in the following year, A. U. 272, conceded to the senate and curies the election of one consul. But at the same time they must have acquired the right to elect their tribunes without the sanction of the curies. Publilius could never have become tribune, if this change had not been made previously to his law. According to our traditions the number of tribunes must have been five, as early as that time.

During this period, the Volscian wars continued uninterruptedly, though they may not have been very important, so that the Latins and Hernicans alone were able to hold out against them. But one war weighed heavily upon Rome alone,—that against Veii. Veientine wars are mentioned under the kings, even from the time of Romulus, but they are quite apocryphal. According to the most recent investigations, the town of Veii was about five miles in circumference, and was thus as large as Rome in the time of Servius Tullius. It is very remarkable, that two such large towns should have been situated so near each other, for the distance is not more than from twelve to fifteen miles; the fact shows, however, how strong was the contrast between the Etruscans and Latins in those times. Livy and Dionysius are very minute in relating the events of the war; and Livy believing all to be true, is very pleasing in his narrative. It may be regarded as authentic, that there was a long and difficult war against Veii. The detail in Livy contains nothing that is improbable; the account of the manner in which Cn. Manlius fell, and of the useless attempt to deceive fate especially, have an antique air. If we compare the accounts of this battle with those of the battle of lake Regillus, we shall find a considerable difference. The many stories about it were probably derived from the *laudationes* of the Fabian gens, which were continually repeated like the panegyric

λόγοι ἐπιτάφιοι of the Greeks. I believe that the plebeians always refused obedience to the consul elected by the patricians; the Fabii on this occasion also doubted whether the plebeians would obey their commands; but as the latter were enthusiastic in the struggle, their co-operation decided the issue of the battle, and the Fabii became reconciled to them. Through this reconciliation, everything assumed a different aspect. One of the heads of the Fabii, who are called three brothers, but were probably gentiles, had fallen; two others saw that the oligarchs were throwing the republic into a desperate position. The Veientes were defeated, but the war continued; and although the Latins and Hernicans were in arms, yet the Volscians spread farther and farther, and concord was the thing most needful. The Fabii themselves accordingly declared that the agrarian law must be conceded to the plebeians; and the consequence was, that none of the Fabii was elected patrician consul, whereas the plebeians chose their former friend, Kaeso Fabius, for their consul. A most formidable commotion now arose, and the Fabii were looked upon by their own order as traitors; their proposals being rejected, they quitted the city in a body 306 in number and formed a settlement on the Cremera, being joined by their whole gens and some thousands of plebeians. This must have been a settlement of a peculiar kind, for it was not a colony, having been formed *per secessionem*: it was a political emigration, because the Fabii had fallen out with their own order; and they founded a home for themselves independent of Rome.<sup>1</sup> It is said that only one of the Fabii sur-

<sup>1</sup> It was probably an attempt to conquer the Veientes by the establishment of a fortified place in their territory, like the ἐπιτιχισμός of Decelea against Athens, for in those times a campaign lasted only a very short period, from a week to a fortnight; the garrison of a place either went out to meet the enemy, or shut themselves up within their own walls; and in order to prevent the inhabitants quietly returning to their fields after the departure of the enemy, the latter often founded a fortified place in the territory which they had invaded.—N.

vived, having been left behind at Rome as a child and in a state of ill health. Perizonius has sifted this account with great critical sagacity, and has shewn how absurd it is to suppose that of 306 men in the prime of life all should have been without children, except one. The only surviving child moreover, appears a few years later as consul. The fact probably is, that the number 306, which is certainly symbolical, is not that of the warriors or even generals, as Livy says, but comprises the whole of the Fabian gens existing in the settlement, including women and children. If we were to suppose that they were 306 men capable of bearing arms, we should be obliged to estimate the number of all the patricians at an amount beyond all possibility. There can be no doubt that they had a large number of clients; and the fact of the latter's emigrating with them is a remarkable instance of the relationship existing between patrons and clients.<sup>2</sup>

The destruction of the Fabii on the Cremera is an historical fact, but the account of it is partly poetical, partly annalistic. The poetical story was, that the Fabii, trusting to the peace concluded with the Etruscans, went from the Cremera to Rome for the purpose of offering up a *sacrum gentilicium* in the city,—such a sacrifice indeed could be offered only at Rome, and all the members of the gens were obliged to attend—and not suspecting that the Etruscans had any hostile intentions, they proceeded without arms. But the Veientes roused their kinsmen and occupied the road which the Fabii

had to pass; the latter were surrounded by many thousands, who however did not venture to attack them in close combat, but killed them from a distance with slings and arrows. The *sacrum gentilicium* was undoubtedly the *statum sacrificium* of the Fabian gens on the Quirinal which is mentioned in the Gallic calamity.<sup>3</sup>

The other account is, that the Fabii, being drawn away farther and farther by flocks feeding in the neighbourhood, and after at length coming into a woody plain, were slain by a numerous Etruscan army. The clients are not again mentioned, but the fortress on the Cremera was taken by the Veientes. We might be tempted to suspect treachery here, and that the rulers of Rome perfidiously delivered the fortress up to the enemy: one of the Roman consuls, T. Menenius, is said to have been in the neighbourhood, and to have afterwards been criminally accused; but that suspicion seems hardly probable, and if the consul acted treacherously, it can have been only from personal hatred. The same consul was defeated and fled to Rome, and the fugitives threw themselves into the city, and did not even maintain the Janiculum, the garrison of which fled with them; the other consul appeared just in time to ward off the greatest danger, and it was with difficulty that the bridge was broken down. It is true there was a wall also running from the Capitol to the Aventine, which protected the city on this side of the river; but the breaking down of the bridge was necessary in order to isolate the suburb, which no doubt existed as early as that time. The Veientes were now masters of the whole plain; they pitched their camp on the Janiculum, crossed the river, and plundered all the Roman territory on the left bank of the Tiber. It was then about the middle of summer, and the new consuls entered upon their office on the first of August. The enemy had crossed the river unexpectedly on rafts, and thus it may have happened that the greater

<sup>2</sup> Livy says of the Fabii that they went out *infelici via porta Carmentali*; and Ovid, *Carmentis portae dextro via proximo Jano est: Ite per hanc noli, quisques es: omen habet*. This must be understood thus: all Roman gates had a double arch, through one of which people went out of, and through the other into, the city; the former was called *Janus dexter*, and the latter *Janus sinister*. The Carmental gate was situated between the Capitoline and Quirinal. Now as any one who wanted to go out was not allowed to pass through the left Janus, he was obliged to take a round-about way, if the place he wanted to go to was close to the Carmental gate: for the right Janus was ominous, as being that through which the Fabii had left the city.—N.

<sup>3</sup> Livy, v. 46.



part of the harvest was destroyed, the farms burnt down, and that men and cattle fell into the hands of the enemy : the distress in the city rose to an extraordinary height. The Roman armies were encamped outside the city, and hard pressed by the Veientes. But despair gave them courage, and they resolved upon a daring enterprise, which was to decide whether Rome should perish or be saved. They crossed the river, defeated the Etruscans, and while one part stormed the Janiculum, another made an attack from above ; they lost indeed an immense number of men, but they drove off the enemy. I have already observed, that this account presents a striking resemblance to that of the war with Porsena. One year later a truce was concluded with the Veientes for forty years of ten months each, and was honestly kept.

After these occurrences, the character of the tribuneship shews itself in a peculiar manner : the tribunes summoned the consuls of the preceding year before the people, not as our authors represent it before the plebes, for they were yet much too weak to sit in judgment on the sovereign magistrates, nay not even before the centuries, which were for the most part plebeian ; but it was either not the tribunes at all but the quaestors that summoned the consuls, or what is much more probable, a great change had taken place by which the tribunes were enabled to give effect to their right of accusing the consuls before their own peers, that is, the *populus*, because the magistrates who were bound to do so neglected their duty. After the consuls were condemned to pay a considerable fine, the tribunes proceeded to bring an accusation against their successors. They were acquitted, but the exasperation rose higher and higher. The tribunes had brought their accusation before the burghers, and the case was one on which they had the power to decide, for it was *majestas populi Romani imminuta re male gesta*, and consequently a *crimen majestatis* ; but the tribunes now proceeded further. They summoned all the consuls that had been in office since the time of

Sp. Cassius, before the plebeian commonalty, because they had not done justice to the people in regard to the agrarian law ; and this step was taken according to an old Italian maxim, that when two nations were united by treaty any complaint respecting a violation of the treaty should be brought before the injured people. It is repugnant to our views that a person should be the judge in his own case, but the practice existed among all the ancient Italian nations, so that the Romans even followed the principle of delivering up Roman citizens to an allied nation which had been offended by them ; as examples, I may mention the surrender of Mancinus to the Numantines, of Postumius and his companions to the Samnites after the Caudine defeat, and of Fabius, who had offended the ambassadors of Apollonia. The surrender of those *qui in noxa sunt* was a general demand whenever there occurred a *rerum repetitio*. This principle is not found among the Greeks ; it is based partly upon the noble idea that an oath before the actual trial is sufficiently binding, and partly upon a notion which is also found among the ancient Germans : with them any member of a family was obliged to come forward as a witness in a case affecting members of his own family, when he was called upon to do so (*consacramentales*) ; a custom which rested upon the noble idea of fidelity. It was a principle that no one could judge a member of his own order but only defend him ; from which however frightful abuses arose. It is surprising how impartial courts of justice at Rome sometimes were ; to be so, however, was less difficult on account of the circumstance, that the accused, up to the moment when the verdict was given, was at liberty to retire from Rome and betake himself to some one of the many allied towns. At Caere, for example, a Roman might demand to be received as a citizen. The origin of this right of withdrawing and claiming the right of citizenship elsewhere was traced in Roman books to the times of T. Tatius, who refused to deliver up his kinsmen to the in-

habitants of Lavinium who had been injured by them: in consequence of this he was murdered, but afterwards the Romans surrendered the offenders to the Lavinians, and the latter the murderers of T. Tatius, that they might be tried.

It was upon this principle that the tribune, Cn. Genucius, who belonged to a family which even at that time was great, summoned the patrician magistrates before the commonalty. He had promulgated his accusation against

the consuls of the preceding year in *trinundinum*, and the plebeians themselves were to judge; their right to do so was by no means doubtful, according to the treaty solemnly sworn to upon the Sacred Mount; nor was the issue of the trial uncertain. But in the exasperation of parties, the patricians resolved upon the quickest expedient—they committed the monstrous crime of murdering Genucius; and with this murder the accusation dropped.

## LECTURE XXXII.

DIONYSIUS justly observes that if the assassins of Genucius had been satisfied with their crime, the terror which they created might have been sufficient for their purpose. The tribunes were in the greatest alarm, for their sacred right was violated; as it was necessary for their houses to be open day and night, no precaution could protect them against a similar outrage, nor against the intrusion of disguised assassins; and even the boldest dreads such a danger. The murderers of Genucius were not discovered, and the general terror paralyzed everybody. The patricians exulted in their deed, and wanted to avail themselves of the first moment for making a levy, and for adding scorn and insult to their crime: their intention was to select the noblest of the plebeians, and in the field to put them to death or abandon them to the enemy. But they were too hasty in their insolence, and their exultation knew no patience: they summoned a distinguished plebeian, Volero Publius, who had before been centurion, and wanted to enlist him as a common soldier. Distinguished and wealthy families existed among the plebeians as well as among the patricians; and to these the Publii belonged. When Publius refused to obey, the consuls sent their lictors to drag him *oborto collo* before their tribunal, to strip him, and scourge him *servili modo*. The Roman toga

was a very wide garment of one piece in the form of a semicircle; there was no seam in it, and a man might wrap himself entirely up in it: now if a person was to be led before a magistrate, the lictors threw the toga round his head and thus dragged him away, whereby they often nearly strangled him, the blood flowing from his mouth and nose. A person dragged in this manner endeavoured of course to defend himself by drawing the toga towards himself; the lictor then took a knife and cut a hole in the toga through which he put his hand and so forced his prisoner along. This is expressed by the phrase *vestem scindere*. But the lictors rarely made use of such violence, because the people did not easily tolerate it. Volero Publius being resolute and strong, dashed away the lictor, ran among the plebeians and called upon the tribunes for assistance. The latter, however, being themselves thoroughly terrified, remained silent, whereupon he addressed himself to the plebeians: the people rushed in a body upon the pursuing lictors who were easily overpowered. The young patricians ran to the spot, and a struggle ensued, in which the tyrants were driven from the forum in a very short time. On the following day, the consuls again attempted a levy, but were equally unsuccessful, and they then abstained from making any further trial in the

course of that year. The murder of Genucius had only rendered matters far worse, and Volero Publilius was elected tribune for the year following, a clear proof that the sanction of the curies was no longer requisite.

An ordinary man would have summoned the consuls of the preceding year before the court of the plebes; but this would only have been a miserable piece of revenge. Publilius saw that the great exasperation of the commonalty must be made use of to gain permanent advantages for them; and for this reason, contrary to the expectation of all, he took a step which properly speaking he was not allowed to take, but it was the beginning of a new order of things. He called upon the plebes to declare that they had a right to discuss the affairs of the state on the proposal of a tribune, and to pass valid resolutions; and further that the tribunes should no longer be elected by the centuries, but by the tribes. These rogations, which are much clearer in Dionysius and Dion Cassius (in the abridgement of Zonaras) than in Livy, do not allude to one circumstance, viz., that such resolutions of the tribes required the sanction of the senate and curies in order to become law; it is impossible that the Publilian law should have gone so far as to make the same claims as the Hortensian, as is clear also from the cases which occur. The development of the states of antiquity shows no such abrupt transitions any more than nature herself; and the demands made by the Hortensian law would have been inconsistent and senseless in those times.

The manner in which business was now done was the following:—The tribunes made their legislative proposals on a market day; for the people, the *populus* as well as the plebes, could not transact business on all days, the curies and centuries only on *dies comitiales*, and the tribes only on the nundines; it was the Hortensian law that first empowered the centuries also to assemble on the nundines. The accurate expressions are *populus jubet*, *plebs sciscit*; it was never said *plebs jubet* or *populiscitum*. The plebes at

first met in the forum, but afterwards in the area Capitolina, the *populus* in the *comitium* or in a grove outside the *pomoerium*, called the *aesculetum* or *lucus Fœtelinus*. In the *concilium plebis* the votes were given by means of *tabellæ*, and in the *concilium* of the curies, *viva voce*. There is no trace of its having been necessary to announce by a previous promulgation the subject of discussion in the *concilium populi*. The senate had no power to bring anything directly before the plebes; it could only commission the consuls to have a conference with the tribunes on any question; the curies on the other hand could not transact any business without a *senatusconsultum*, and in their assemblies nothing could be done without a curule magistrate or an *interrex*, who were not even allowed to show their faces at the meetings of the plebes.<sup>1</sup> Now when the tribunes wanted to bring a bill before the commonalty for deliberation they exhibited it in the forum *in albo in trinundinum*, that is as a matter to be determined upon after fifteen days, the first nundines being included in the reckoning. A *concio advocata* might take place at any time, for the forum was always crowded, and the tribune might ascend the rostra and address the people, or give an opportunity of speaking to others, especially those who intended to speak against his proposal (*edocere plebem*). But such deliberations were only preliminary, not decisive; just as when the British parliament forms itself into a committee, in which mere resolutions are

<sup>1</sup> In our manuals of antiquities these distinctions are neglected. However valuable the earlier works on this subject are in reference to detail, they give us no assistance in comprehending the political state of Rome. The works of Sigonius and Beaufort deserve to be recommended as containing ample materials arranged by ingenious men; in regard to later times we cannot be grateful enough to them for the vast amount of information which they afford. The commentary of Manutius on Cicero's letters is quite indispensable for any one who wishes to understand that period, and his work *De Diebus* is excellent, but as to the earlier times, he too is in the dark even more than others. The work of Adam is in many respects invaluable, but the first part contains a great deal which is incorrect.—N.

passed, or as when the French chambers have a preliminary deliberation upon a legislative proposal in the *bureaux*; the deliberation on the day when a question was to be put to the vote was quite different. It was necessary that every transaction of the *populus* as well as of the plebes should be completed before sunset, otherwise the day was lost; the plebes had their auspices only in later times, but a flash of lightning or any similar phenomenon separated the *populus* (*dies diffissus*). When a tribune had promulgated his rogation *in albo* fifteen days previously, the decisive deliberation took place. We are too apt to represent to ourselves these proceedings as tumultuous; the people assembled early in the morning, the deliberation lasted the whole day, and one person rose after another, speaking either for or against the proposal: the opposition endeavoured *eximere diem*, in order that it might be impossible to come to a conclusion before sunset: which was observed from the steps of the curia Hostilia,<sup>2</sup> and then *suprema tempestas* was announced. In such cases, the tribune was again obliged to wait eight days and again to promulgate in *trinum mundium*. This form must have been customary even in the earliest times in all the deliberations of the plebes, for there had been *plebiscita*<sup>3</sup> as long as the plebes existed.

If, on the other hand, the discussion was closed and the votes were to be taken, the tribune called upon the patricians and clients to withdraw, and as the *rostra* stood between the *comitium* and the forum, the *populus* withdrew

to the former. Hereupon the forum was divided by ropes into a number of squares, into each of which a tribe entered, and each tribe then voted for itself under the management of its tribune. When it became known that the tribes had passed the resolution, the patricians had the right of rejecting it, just as in England the house of Lords and the king may reject a bill sent up by the house of Commons; but if the latter is determined to have the bill passed, it would be quite impossible to reject it; such a measure would be the signal for a dissolution of the government. The patricians would not allow matters to come to such a crisis, and therefore usually endeavoured to prevent the plebes from coming to an obnoxious resolution. We might ask, what advantage there was in preventing a resolution one day, since it might be carried the next? A great deal was gained; a respite of three weeks, in which perhaps a war might arise, which would put a stop to every thing; nay a matter might be dragged on through a whole year, but then the evil only increased and the exasperation of the people rose higher and higher. This is the folly which all oligarchs will be continually guilty of in some form or other as long as there are oligarchies. The patricians were blind enough not to see that if they could get up among the plebeians themselves a sufficiently strong party to oppose a proposal, the consequences would be the same as if a resolution were actually passed and afterwards rejected, but without any odium being attached to them. In the end the patricians never shewed sufficient courage to let matters come to a crisis: they always yielded but in a hateful manner, and reserved to themselves their ancient rights, no part of which they would give up except on compulsion.

<sup>2</sup> The discovery of this place has been the key to all my investigations on Roman topography.—N.

<sup>3</sup> The orthography *plebiscita* is quite wrong; *plebi* is the ancient genitive of *plebes* just as *Hercules*, *Herculi*; *Caeles*, *Caeli*; *dies*, *dii*.—N.



## LECTURE XXXIII.

THE great importance of the Publilian law is that the tribunes now obtained the initiative; until then it had been quite in the power of the senate and the patricians either to allow a legislative proposal to be discussed or to prevent it: the consul first made his proposal to the senate, and it was only after the latter had given its consent to the proposal, that it was brought before the curies or the curies and centuries. But as the tribunes were now at liberty to lay any proposal before the commonalty, they thereby acquired the power of introducing a discussion upon any subject which required it. There were points which urgently demanded a change, and among them many of the highest importance, which without the Publilian rogation would never have been discussed in a constitutional way. The Publilian laws therefore were beneficial, for had they not been passed, the indignation of the plebeians would have vented itself in another way, and the state would have been torn to pieces in wild exasperation; I cannot, however, blame the rulers of that time for not seeing the beneficial results of the laws. But the angry manner in which they opposed the tribunes was as blameable as it was injurious; the mode of their opposition threw the formal injustice upon the opposite side, for I cannot deny that the Publilian law was contrary to the existing order of things, and an irregularity. The senate might have disregarded such a *plebisцитum* altogether, or might have declared that the plebes were not qualified to pass it; but when the tribunes called upon the *populus* to withdraw from the forum, the patricians refused to go, and with their clients spread all over it, so that the plebeians were prevented from voting; they drove away the servants who carried the voting urns, threw out the tablets containing the votes, and the

like. After this had been attempted once or twice more, the exasperation of the plebeians rose to the highest pitch and a fight ensued, in which the patricians and their consul Appius Claudius were driven from the forum. The consequence was a general panic among the patricians, because they saw that it was impossible to resist the infuriated multitude. But the plebeians did not stop here: they put themselves in possession of the Capitol but without abusing this victory, though the tribunes are generally censured. I do not mean to represent the plebeians as champions of virtue or their opponents as thorough knaves: such an opinion would be ridiculous, but the conduct of the plebeians contains a great lesson; those who in such times have the power in their hands, often abuse it, whereas the oppressed are moderate in their conduct, as we see especially in the case of religious parties. I believe the Jansenists at Utrecht would not have the excellent reputation which they fully deserve, if they were not the oppressed church: it is often a salutary thing for a man to belong to the persecuted party. The plebeians used their victory only to carry their resolution. Although Appius even now exerted all his influence to induce the senate to refuse its sanction, yet the senators were too much impressed with the greatness of the danger, and the law was sanctioned. Livy refers this law merely to the election of the tribunes, but Dionysius and Dion. Cassius (in Zonaras) give the correct account. Livy did not clearly see the peculiar importance of these laws, but at the close of his narrative he mentions some points which presuppose what he has not stated.

Had the patricians been wise, they ought to have been pleased at the issue of the affair; no one at least could regard it as a misfortune. The repeal of such a law is impossible,

but instead of seeing this, the patri-  
cians with their weakened powers  
continued attempting to undo what  
had been done, and were bent upon  
taking revenge. The plebeians still  
looked upon the consul whom they  
had not elected as illegal, and refused  
to obey him; in this predicament was  
Appius Claudius, who led an army  
against the Volscians, and on his  
march began to punish and torture  
the soldiers for the most trifling trans-  
gressions. Dionysius' account of these  
things is very credible, and seems to  
be founded upon ancient traditions.  
The plebeians opposed the consul with  
stubborn defiance, and would rather  
be punished than obey him. Imme-  
diately before the battle, they deter-  
mined to take to flight, and accordingly  
ran back to the camp, although the  
Volscians were not on that account  
the less bent upon pursuing and cutting  
them to pieces; the Romans did not  
even remain in the camp, but con-  
tinued their flight till they reached the  
Roman territory. There Appius did  
a thing which might seem to us in-  
credible, were it not accounted for by  
the influence of the allies, the Herni-  
cans and Latins who were under his  
command: he put to death every  
tenth man of the army, and led the  
survivors to Rome. The consequence  
was, that in the following year he was  
accused by the tribunes before the  
plebes; we may look upon Livy's  
masterly description of this as based  
upon the account of one who had a  
thorough knowledge of the events,  
though it is more detailed than he  
found it in the annals. Appius dis-  
played the greatest defiance and  
haughtiness, and was resolved not to  
be softened down by entreaties; even  
the tribunes allowed themselves to be  
overawed by him. Both our historians  
agree in stating that a respite was  
granted to him by the tribunes, in  
order that he might make away with  
himself,—a fact which often occurs in  
the history of Rome, and more rarely  
in that of Greece. He availed himself  
of the concession even before the dawn  
of the ensuing day, and escaped further  
prosecution by suicide.

After this, the internal disputes  
ceased for a time, while the wars with  
foreign nations became more and more  
important. In the year A.U. 286, the  
Romans conquered Antium, or, ac-  
cording to a more probable account,  
Antium opened its gates to them. In  
our historians, the town appears as  
decidedly Volscian, and part of its  
inhabitants are said to have fled to the  
Volscians at Ecetra. I believe that  
the following is a correct view of the  
matter. Antium, like Agylla and the  
other coast towns, was originally Tyr-  
rhenian, but there may have been a  
numerous party in the town which,  
feeling itself too weak to resist Rome  
and Latium, called in the assistance of  
the Volscians; and Ecetra, the south-  
eastern capital of this people, sent a  
colony to Antium. This colony was  
looked upon by a part of the citizens  
with hostile feelings, and when these  
citizens called upon the Romans for  
assistance, the Volscian colonists were  
expelled, and returned to Ecetra. The  
Volscians then attempted to recover  
what they had thus lost, and this gave  
rise to obstinate wars. After Antium  
had thrown itself into the arms of the  
Romans and their allies, it received a  
colony of Romans, Latins and Herni-  
cans, a remarkable proof of the equal  
manner in which these three nations  
shared their conquests. Every one  
must see how Dionysius has distorted  
this event; Livy thinks that the  
Romans who were willing to join the  
colony, did not amount to a sufficient  
number. Antium now was akin to  
the three allied states, and the ancient  
Tyrrhenian Antiatans formed the com-  
monalty of the town, while the colo-  
nists were the burghers; it is probable  
that each state sent 300 colonists,  
except the Hernicans, who sent 400,  
for among them, the division into four  
seems to have prevailed, whence the  
mention of the *cohortes quadringe-  
nariæ*. The *Antiates mille milites*, who  
are met with in the later Volscian  
wars, seem to be these 1000 colonists.  
Such numerical calculations are any-  
thing but arbitrary, however much  
they may be opposed to our notions.  
But the success of the Romans in this

war was only transitory; for as they were not the strongest in the field, and as the ancient inhabitants always fared ill under a colony, it is conceivable that ten years afterwards Antium was lost by the Romans, in the same manner as it had been gained. According to our division, the establishment of the colony at Antium concludes the first period of the Volscian war, which henceforth assumes quite a different character.

The Aequians, who at that time must have been a great people (Cicero, in fact, calls them *gens magna*), seem until then to have taken little part in the war; but the loss of Antium roused not only the Volscians of Ecetra to vigorous exertions, but also the Aequians. The subsequent misfortunes of the Romans are veiled over in our accounts; but the enemy seem to have advanced as far as the frontiers of the Roman territory, and all the Latin towns were conquered: the Volscians were formerly found in the district of Velitrae, but henceforth they appear every year on mount Algidus, and obtained possession of the *arx* of Tusculum, which was reconquered from them only with great difficulty. Several Latin towns disappear entirely. Corioli was destroyed: Lavici became an Aequian town; Gabii continued to be deserted within its walls as late as the time of Dionysius; Praeneste is no longer mentioned, and after a period of 100 years, when it reappears in history, it was hostile towards Rome; it is probable that only the nearest places, such as Tusculum and Lavinium, remained in the hands of the Romans. The frontier of the Roman dominion was on the other side of the hills of Tusculum; Circeii, Velitrae, Norba and other towns farther east were lost. It is certain, therefore, that more than half of Latium was conquered by the Aequians who penetrated into it from the Anio, and by the Volscians who advanced from the sea coast.

Some allusions to these events are to be found in the account of Coriolanus, for the Romans endeavoured to console themselves for these losses by

ascribing them to one of their own countrymen, a feeling which is quite natural. In the time of the French revolution, I have often seen emigrants rejoicing at the victories of the French, although they knew that their lives would be sacrificed should they fall into the hands of the conquerors. In like manner James the Second when in exile was delighted at the victories of the English. The Romans thus fancied that the Volscians lost all their power as soon as Coriolanus was no longer with them. But the whole story of Coriolanus is neither more nor less than a poem, in which a series of events belonging to various years is referred to one man and to one period, which events moreover are placed many years too early. However hard the Romans may have been pressed, it cannot be conceived that neither consuls nor armies should have been sent against the enemy, while the latter in their victorious career hastened from town to town. It is only in the enumeration of the places which were destroyed, that we have had a hint as to those which became Volscian after the destruction of Latium.

The Volscians penetrated so far, that it became necessary to receive men and cattle within the walls of Rome, just as at Athens in the Peloponnesian war; and this crowding together of men and beasts produced a plague. It is well known that great depression always produces a susceptibility for epidemics. It was the despair of the Attic peasantry, who in the Peloponnesian war saw their farms burnt down and their olive plantations destroyed, that developed the germs of the epidemic. Physicians of Cadiz have pointed out to me a probable cause for the breaking out of the yellow fever which raged there in 1800: previously every thing was in a prosperous condition, but the despondency which arose from the influx of large numbers of poor unemployed people, increased and spread the disease with great rapidity. In most cases, the germs of an epidemic, though existing, do not come to an outbreak, for particular circumstances are required to develop

them. Thus we may well believe the Romans, that the conflux of people, the want of water and cleanliness (it was in the month of August) greatly contributed to produce the epidemic; but it is probable that the great pestilence which thirty years later broke out in Greece and Carthage, began in Italy as early as that time. The rate of mortality was fearful: it was a real pestilence, and not a mere fever, which alone, as persons were obliged to sleep in the open air, might, at that season of the year, have carried off thousands of people. Both consuls fell victims to the disease, two of the four augurs, the *curio maximus*, the fourth part of the senators, and an immense number of citizens of all classes, so that sufficient conveyances could not be found even to carry the dead to the river; the bodies were thrown into the *cloacae*, whereby the evil was increased. During this plague the Volscians and Aequians traversed the whole of Latium; the Latins offered resistance, but suffered a fearful defeat in the valley of Grotta Ferrata. In the following year we hear nothing of victories; the disease may have attacked the enemy also, and thus have saved Rome. After a few years the plague re-appeared as usual.

Much of the detail in our accounts of this war is not deserving of notice

at all, a great part consists of later inventions for the purpose of giving to that dismal period some pleasing features. The scene of the wars is mount Algidus, which is not a mountain, but a cold interrupted table land several miles in circumference between Tusculum and Velitrae; it forms the watershed from which the streams flow partly towards the Liris and the Pontine marshes, and partly towards the Anio.<sup>1</sup> The district is barren, and in antiquity, as is the case now, it was covered with ever-green stone-oaks; some years ago it was the constant haunt of robbers, in consequence of which I could not visit it, but I have collected accurate information about it. There the Aequians and Volscians always appeared and united their armies. The same district is the scene of the poetical story of Cincinnatus' victories over the Volscians. These victories, at least in the form in which they have come down to us, belong to a very beautiful poem, and are connected with the internal history of Rome, on which account I shall defer speaking of them, until I have related to you the commotions which occurred after the Publilian law.

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<sup>1</sup> Horace says: *Nigrae feraci frondis in Algidis*.—N.

## LECTURE XXXIV.

THE Publilian law could not remain without consequences destructive of internal quiet, for it was the beginning of a great commotion that could not fail to be attended with violent shocks. The great subject of complaint with the plebeians was the unlimited power of the consuls: they had taken the place of the kings; their time of office was limited, but in power they were little inferior to the kings, and the consequences of their undefined power were manifested in the levies of troops. As the tribunes had now the right to

make legislative proposals, C. Terentilius Harsa first brought forward a bill that five men should be appointed to draw up a law respecting the limits of the consular power. It was very difficult to execute this task, for the supreme power can never in reality be perfectly defined, and least of all in republics; it must ever be something uncertain so as to be able to act on extraordinary emergencies. This circumstance was recognised by the Roman republic in the formula *videant consules ne quid res publica detrimenti*



*capit*; in the earlier times this was quite common, and at such junctures it was hardly possible to determine between the legal use and the abuse of power. The task of these five men was of such a nature that we can well imagine men of the greatest honesty might say much for or against the proposal. Some might demand a definition of the consular power so as to prevent abuse, while others might insist upon the government not being disarmed, in order that it might not become powerless in times of danger; but there ought to have been no venom in these differences of opinion. It was perhaps intended from the very first that the measure should be of a more extensive character, and it may even have been intended to divide the consulship equally between the two estates.

During the first year, the commotions were less violent than in the next, for according to Dionysius, whose account is quite correct, another tribune took up the *lex Terentilia* with this extension, that decemvirs, five of the patres and five of the plebeians, should be appointed to undertake a general revision of the laws. The legislations of antiquity embraced not only the civil and criminal law and the mode of procedure, but also the political laws and regulations of a temporary nature. The legislation of Solon, for example, was a complete reform of the constitution, and at the same time regulated temporary matters, such as the payment of debts. The notion of the period which has just passed away, that general legislation ought to proceed from a large assembly of lawyers, was quite foreign to the ideas of the ancients, who well knew that legislation must be the work of a few, and the province of larger assemblies was merely to adopt or reject it, the sanction resting with them. This is the natural course of things, and hence the ancients for the most part followed the maxim that legislation should be quite independent of the magistracy: in all the republics of antiquity, one man or a few were appointed to make the laws, and the

people said either Yes or No. Such also was the case among the Romans: ten men were to be appointed *legibus scribendis*, who however were to be invested with consular power. From the remains of the Roman laws, we see that each was of great extent, which accounts for the fact, that but few persons read the laws, and that most people were quite ignorant of their contents: in this respect, the republican form in such affairs is necessarily a mere shew. Dionysius very happily expresses himself in saying that the Romans aimed at *ισονομία*, and gained *ισηγροία*.<sup>1</sup> From an accidental expression of Tacitus we know that the ancient laws were, for the most part, traced to the kings Romulus, Numa, Tullus and Ancus. This shews that each of the three ancient tribes and the plebes had their separate laws, which were ascribed to their respective archetypes. These tribes and the plebes, which had originally been distinct communities, continued to preserve their ancient statutes, even after their union into one state. I believe that more than a hundred different statutes existed in the papal dominions previously to the French revolution, and many an Italian village containing not more than one hundred houses has its own statute or customary law; the late Abbé Morelli had collected three hundred different statutes in Italy. The same was the case in the middle ages in many parts of Germany, though in some instances one and the same law was in force over a large extent of country. It is not even certain whether the whole of the plebes had the same law, or whether a different one was not established in places like Medullia and Politorium; this hypothesis, it is true, is opposed to the statement that Servius Tullius abolished all differences among the plebeians by dividing them into tribes;

<sup>1</sup> "Properly (in Herodotus and Thucydides) *ισονομία* is that state of freedom where no man is beyond or above the law; it is neither a *τυραννίς* nor a *δυναστεία*; *ισηγροία* (in Demosthenes) is that state where every free citizen is of equal rank." See *Hist. of Rome*, ii. p. 281, note 640.

but on the other hand it is supported by the existence of places like *Cameria* and others, which were Roman colonies and formed separate commonalties. The ancients had a tradition that the clause in the twelve tables ordaining that the *Fortes* and *Sanates* should have equal rights, referred to certain places such as *Tibur*.

The heads of the plebes might very well insist upon the establishment of equal laws for all, an object which was beneficial not only to them but to the state in general, for the disadvantages of such different statutes must have been great and keenly felt: the purpose of the reform, therefore, was the abolition of everything which established painful and oppressive differences between the two orders; and the tribunes were justified in demanding it. There still was no *connubium* between patricians and plebeians, and the children of mixed marriages followed the baser side (*deteriorem partem sequi*). In the middle ages, Lombards, Franks, Romans and others lived together for centuries in the cities of Italy, each nation having its own peculiar laws; but the inconveniences arising from this circumstance subsequently caused common statutes for all the inhabitants of a town to be drawn up.

The tribunes, however, went further, and as the legislation was also to comprise the political law, the legislators were at the same time to make a reform of the constitution. The Publilian laws had awakened in the nation a life which was not in harmony with the ruling power: a new state of things was necessarily springing up, which soon found itself in conflict with that which was established. Whether the patricians foresaw to what extent this law would operate, or whether it was, from the beginning, intended to be more comprehensive than we know, certain it is that they made the most vehement opposition to the law, and had recourse to acts of violence similar to those which they had practised before. *Kaeso Quinctius*, a son of *Cincinnatus*, made himself particularly notorious; he repeated all the intrigues

of *Appius Claudius*, and heading the young men of his own age and rank and the clients, he by violence prevented the plebeians from voting. A law (*lex Junia*) against such violence was passed either then or the year before, which declared every one who disturbed the tribunes in their functions guilty of high treason towards the commonalty.<sup>2</sup> A person guilty of this crime was obliged to find sureties for a sum of money to be fixed by the tribunes (the usual number of sureties was ten, each for 3000 asses), and if he did not await his verdict, the money was forfeited to the commonalty. In virtue of this law, the tribunes of the year following brought an accusation against *Kaeso Quinctius* before the commonalty. On the trial he was charged with having, in conjunction with a band of young patricians, maltreated a plebeian so that he died. To us this seems incredible, but it was not so in antiquity: in like manner the *Pentalidae* in *Mitylene* ran about with clubs assailing the plebeians of *Mitylene*. Nay, even in modern times similar things have been done: during the minority of *Louis the Fourteenth* such scenes occurred in the streets of *Paris*, where no one dared to walk without arms, there being constant danger of an attack. In the time of *Queen Anne*, there existed a band of young nobles in *London* called *Mohocks*, who roamed through the streets in disguise and attacked the people; and in the reign of *King William*, *Lord Bolingbroke*, as we see from *Swift's* correspondence, belonged to such a band. Things of this kind could not now occur in any European city, thanks to police regulations, which, however much blamed by some people, are of incalculable benefit. The accusation excited so much exasperation against *Kaeso Quinctius*, that he did not dare to appear before the plebes, but quitted the city. It is related,

<sup>2</sup> It seems almost inconceivable that *Dionysius* should place the passing of this law thirty years earlier (A.U. 262); his reason perhaps was that *Coriolanus* was said to have been condemned by it.—N.

that his father was reduced to poverty in consequence of the tribunes having exacted from him the sums for which sureties had been given. This is impossible; for the tribunes had claims on none but the sureties, and if the latter wanted to come upon the father, a *sponsio* must have preceded: even then, a man of so noble a family cannot possibly have been deprived of rights which belonged to the meanest of his order; he might surely have required his gentiles and clients to indemnify him. The whole account, like so many others, is an invention in which a foundation of truth is embellished and exaggerated; this making-up of the story might have been done with sufficient skill to deceive us, but fortunately it is managed so awkwardly that we cannot be misguided. Cincinnatus is one of those characters whose names stand very high in tradition, but concerning whom the records of history are extremely scanty and almost amount to nothing. He afterwards appears as consul without anything particular being related of him; it is only in the Aequian war that any striking fact is recorded of him. There is a halo of wealth and a halo of poverty; the latter shines more especially in rhetorical times when no one wishes to be poor, and when it appears inconceivable that a great man should be poor. We may pass over the old story of Cincinnatus ploughing his fields, etc., etc.; but the great enthusiasm which arose from it is a mere interpolation in history. Perizonius has observed that the same story is related of the dictator Atilius Serranus (*te sulco Serrane serentem*), and is therefore quite apocryphal: it was probably manufactured out of the name Serranus (from *serere*), which is surely more ancient than the dictator who bore it. The story of Cincinnatus was preserved in a poem on his dictatorship, of which the following is the substance.

A Roman army under the consul Minucius was surrounded by the Aequians on mount Algidus; the senate, it is said, sent an embassy to Cincinnatus, to offer him the dictatorship. The ambassadors found him on his small

farm of four jugera, on the other side of the river, engaged in ploughing. Having heard the command of the senate, he complied with it, though his heart bled at the recollection of the fate of his son. He then chose a gallant but poor patrician, L. Tarquinius, for his *magister equitum*, and ordered all men capable of bearing arms to enlist, every one being required to bring with him twelve palisades and provisions for five days. The army broke up in the night, and, on its arrival the following morning, marched in a column around the Aequian camp; the consul sallied out from within, and the Aequians, who were themselves surrounded by a ditch and palisades, were obliged to surrender.

The whole story is a dream as much as anything that occurs in the *Heldenbuch*. If the Roman army had been in the centre and surrounded by an Aequian army, and the latter again by a line of Romans, the Romans would have formed a circle of at least five miles in circumference, so that the Aequians might have broken through them without any difficulty. I do not mean, however, to assert that the dictatorship of Cincinnatus is altogether unhistorical, though it is strange that a similar event is afterwards related in the siege of Ardea, in which the same Cloelius Gracchus is mentioned as commander of the Aequians. Cincinnatus now made use of his power to get Volscius, who had borne witness against Kaeso Quinctius, sent into exile, probably by the curies, for the centuries do not seem to have then possessed judicial power. At that time, Kaeso Quinctius was no longer living, according to the express statement of Livy: he had probably fallen the year before in consequence of transactions which shew those times in their true colours. After he had gone into exile, the tribunes observed symptoms of a conspiracy among the young patricians, and there were reports that Kaeso was within the city. It is further related that during the night the city was surprised from the side of the Carmental gate, which was open, by a band of patrician clients, under the

command of the Sabine, Appius Herdonius, who had come down the river in boats. It is manifest that it would have been impossible to collect a sufficient number of boats to convey an army of 4000 men, without its being known at Rome, more especially as the Romans were at peace with the Sabines; and admitting that it was necessary to leave the gate open on account of a consecration, it must surely have been guarded by double sentinels; the enemy, moreover, could not possibly pass the field of Mars and occupy the Capitoline hill without being observed. There must, therefore, have been treachery. In the night, the people were roused from their sleep by a cry that the Capitol was in the hands of the enemy, who massacred every one that did not join them, and called upon the slaves to make common cause with them. This naturally created not only the greatest consternation, but a general mistrust; the plebeians imagined that it was an artifice of the patricians, who had stirred up their clients to take possession of the Capitol, in order thereby to intimidate the plebeians; they further believed that, as during a *tumultus*, the consuls would command them to take the military oath unconditionally, lead them to a place beyond the limits of the tribunitian power, and then require them to renounce their rights. The tribunes accordingly declared that they could not allow the commonalty to take up arms before the laws were passed. We may indeed believe that the government was innocent in this affair, but it seems certain that there was evidence of a conspiracy in which Kaeso Quinctius was an accomplice, and that a promise had been given to Appius Herdonius to make him king of Rome if the undertaking should succeed. It is not impossible that this may rather have been a conspiracy of the *gentes minores*, for we can still perceive a great gulf between them and the *maiores*. When the real state of the case became known, the tribunes

gave up their opposition and allowed the commonalty to take the oath; whereupon the Capitol was stormed under the command of the consul. At this time there seems fortunately to have been a truce with the Aequians, but yet Rome was in a most dangerous condition, since no firm reliance could be placed upon the continuance of the truce. The consul Valerius, the son of Poplicola, the same who is said to have fallen at lake Regillus, was killed; the Capitol was taken by storm, the slaves found there were nailed on crosses, and all the freemen were executed. There seems to be no doubt that Kaeso Quinctius was among the latter; and this may have led his father in the following year to take revenge in a manner which is pardonable indeed, but ignoble, by exiling Volscius, the accuser of his son. The tribunes of the people are said to have prevented this accusation being made, a remarkable instance of the greatness of their power even at that time; but perhaps they only afforded protection to the accused, and did not allow him to be violently dragged into court. The expression *patricios coire non passi sunt* is not applicable till later times. The disputes about the trial lasted for a couple of years, Cincinnatus, either as consul or dictator (probably the latter), refusing to lay down his office until he should have obtained the condemnation of Volscius. The latter went into exile; his surname Fictor, probably from *ingere*, is one of the examples in which either the name arose from the story, or the story from the name: so that the statement, "the plebeian M. Volscius Fictor was condemned," gave rise to the story that he had given false evidence.

It is obvious, that Cincinnatus has undeservedly been deified by posterity: in the time of the decemvirs and tyrants, he did nothing; and twenty years after this occurrence, he acted completely in the interest of a faction, and shed the innocent blood of Maecilius.



## LECTURE XXXV.

AFTER the war of A.U. 296, the history of Rome takes a different turn. We have no express statements as to the circumstances which gave it this new direction ; but the concurrence of several circumstances leaves no doubt that at that time the Romans concluded a peace and treaty of friendship with the Volscians of Ecetra, on condition of restoring Antium to the Volscians, so that this town assumed the character which it retained for 120 years, that is, till after the Latin war. Henceforth then, the Volscians no longer appeared every year on mount Algidus, and the Aequians alone continued to be enemies, but they were of no importance. From this time the Antiatans and Ecetrans took part in the festivals on the Alban mount, that is, in the Latin holidays ; this is referred to the times of Tarquinius Superbus, but at that time Antium was not yet a Volscian town.

Previously to the year A.U. 290, the census amounted to 104,000, and after the plague, this number was diminished only by one-eighth, whereas one-fourth of the senators had been carried off ; but the cause of this apparent discrepancy is, that the Volscians had been admitted to the right of *municipium* ; citizens they were not, and consequently as the census lists must have included them, they did not embrace Roman citizens only. But it is more especially the story of Coriolanus that furnishes a proof of this treaty. He is said to have made the Romans promise to restore the places which they had taken from the Volscians, and to admit the Volscians as isopolites. Both things were done : Antium was restored, and the rights of isopolity were granted. We must either suppose that the events recorded of the great Volscian war were transferred to this story, or that the episode about Coriolanus formed the catastrophe of this war, which was followed by the peace ; that is, that

Coriolanus really was the commander of the Volscians, and mediated the peace between them and the Romans.

These wars, from A.U. 262 to A.U. 266, belong to the category of impossibilities, and that the history of Coriolanus is inserted in a wrong place is perfectly clear. The law against the disturbers of the assembly of the people could not have been passed previously to the Publilian rogations. If the Volscians had appeared at the gates of Rome as early as is stated by our historians, no domain land would have been left about the distribution of which the consul Sp. Cassius could have proposed a law, and there would have been no subject of dispute. After the unfortunate Volscian wars, in fact, the commotions about the agrarian law really did cease, because the matter in dispute no longer existed. Further, if the war of Coriolanus in A.U. 262 had been carried on in the manner in which it appears in our accounts, the Romans would have had no place to restore to the Volscians : whereas after the great Volscian war, Rome was in possession of several important places and was obliged to restore Antium. Lastly, the isopolity which was demanded was actually granted in the year A.U. 296, as is proved by the numbers of the census.

As regards the giving up of Antium, the Roman historians say that it revolted ; which in the case of a colony is absurd. The Roman colony was only withdrawn, and the ancient Tyrrhenian population was left to the Volscians. Nay, the very circumstance, in consequence of which the war of Coriolanus is said to have broken out, namely, the famine during which a Greek king of Sicily is stated to have sent a present of corn to Rome, points to a later period. After the destructive Veientine war in the consulship of Virginius and Servilius, the fields around Rome had

been set on fire at harvest-time and were laid waste also at the following seed-time. In A.U. 262, Gelo was not reigning at Syracuse, but at the utmost was a prince of the insignificant town of Gela. Compared with the old Roman annalists, who mentioned the tyrant Dionysius as the king who had sent the present, Dionysius is very sensible, for he proves that that monarch did not reign till eighty years later; but Dionysius himself must be severely censured for mentioning Gelo. After the Veientine war, indeed, according to the more probable chronology, Gelo, or at least his brother Hiero, was king of Syracuse, and owing to his hostility towards the Etruscans, he may actually have had good reasons for supporting the Romans. All circumstances therefore point to this as the real time. The story of Coriolanus is so generally known that I need not give a long account of it. The cause of its being transferred to a wrong place was the mention of the temple of Fortuna Muliebris, as I have already remarked, but this temple certainly belongs to an earlier period: a daughter of Valerius Poplicola is said to have been the first priestess. Now if it were connected with the history of Coriolanus, his wife or mother would undoubtedly have been appointed the first priestess, as a reward for their services in behalf of the state.

The story runs as follows:—C. or as others name him, Cn. Marcius Coriolanus, a very eminent young patrician, probably of the lesser gentes (for these are more particularly opposed to the plebes), greatly distinguished himself in the wars against the Antiatans. He was an officer in the army which the consuls led against the Volscians: the year to which this campaign belongs was, of course, not mentioned in the poem. The army besieged Corioli; the Volscians advancing from Antium wished to relieve the place, but Coriolanus took it by storm while the army of the consul was fighting against the Antiatans. From this feat, he received his surname and acquired great celebrity. But while in the war he appears as a young man, he is at the

same time a member of the senate and at the head of the oligarchic faction. A famine was raging in the city: in contradiction to the plebeian statement that the plebes during the secession destroyed nothing, we are told that they had in fact laid waste the country; but the whole account is evidently of patrician origin, and has a strong party colouring. Various but useless attempts were made to procure corn; money was sent to Sicily to purchase it, but the Greek king sent back the money and gave the corn as a present: it was perhaps a gift from the Carthaginians. The senate, it is said, debated as to what was to be done with the corn, and Coriolanus demanded that it should neither be distributed nor sold, unless the commonalty would renounce the rights they had lately acquired—they were to give up their birthright for a mess of pottage. Another proposal not much more praiseworthy, was that the corn should be sold to the commonalty as a corporation, from which individual members might afterwards purchase it; hence the plebeians were to pay the purchase-money twice: this plan was adopted, but it naturally produced great exasperation, and on this occasion it also became known that Coriolanus had insisted upon making use of the distress for the purpose of abolishing the privileges of the plebeians. Livy relates the course of events briefly; but Dionysius gives a very full account of them. According to the former, the tribunes brought a charge against Coriolanus as guilty of a violation of the peace; and in this they were fully justified by the sworn treaty of the sacred mount. The charge was, of course (though Dionysius does not see this) brought before the plebes, and Coriolanus being summoned before the court of the tribes, had the right to quit the country before the sentence was pronounced. A person could do this after he had given sureties, but it was not done in the way usually supposed. He who had to dread an unfavourable issue could not go into exile in the manner described in our manuals of antiquities, but he might

wait till all the tribes had voted except one, as Polybius says. When the majority had decided against him he was condemned; but if he had taken up his abode as a citizen of a Latin town, for example, the decision was void, but the sureties, at least in later times, had to pay. Livy says that Coriolanus met the accusation with haughtiness, but that on the day of judgment he departed before the sentence was pronounced. Coriolanus was perhaps the first who was allowed to give sureties. The common tradition is, that he now went to the Volscians. This is true (and up to this point indeed I believe the whole story), but his going to Attius Tullus at Antium is apocryphal, and a mere copy of the story of Themistocles going to Admetus king of the Molossians. He is said to have stirred up the Volscians, who were quite desponding, to venture again upon the war: this is a Roman exaggeration intended to disguise the distress which had been caused at Rome by the Volscian arms. It is further related that he conquered one place after another; first Circeii, then the towns south of the Appian road, and next those on the Latin road; and that at last he advanced even to the gates of Rome. This is irreconcilable with what follows: Coriolanus now appears at the Roman frontier on the Marrana, the canal which conducts the water of the low country of *Grotta Ferrata* into the Tiber, about five miles from Rome. The Romans sent to him an embassy, first of ten senators to whom he granted a respite of thirty days, and then of three more, as the *fetiales* did when a war was not yet determined on; thereupon priests were sent to him and at last the matrons, who moved his heart and induced him to retire.

All this is very poetical, but is at once seen to be impossible when closely looked into. Livy makes a curious remark, in saying that the fact of the consuls of this year having carried on a war against the Volscians would be altogether unknown, if it were not clear from the treaty of Spurius Cassius with the Latins, that one of them, Postumus Cominius, was ab-

sent, the treaty being concluded by Cassius alone. But Livy thinks that the glory of Coriolanus, which eclipsed everything else, was the cause of the omission—a valuable testimony! the ancient traditions then did not state that the consul had anything to do with the falling of Corioli, but attributed it to Coriolanus alone. Now, as we have before seen, it is not true that Coriolanus received his surname from the taking of Corioli, such names derived from conquered places not occurring till the time of Scipio Africanus: further, Corioli at that period was not a Volscian but a Latin town; it became Volscian in the great Volscian war, which we call the war of Coriolanus, and was not destroyed till afterwards. The fact of its being a Latin town is clear from the list of the thirty towns which took part in the battle of lake Regillus, though I admit that this list may not have been originally drawn up with reference to that battle, but rather to the treaty of Sp. Cassius. The name of Coriolanus thus signifies nothing more than the names Regillensis, Vibulanus, Mugillanus and others, and was derived from Corioli, either because that town stood in the relation of *proxenia* or *clientela* to his family, or for some other reason.

Nothing therefore is historically known about Coriolanus, beyond the fact that he wanted to break the contract with the plebeians, and that he was condemned in consequence. His subsequent history is equally apocryphal. He was condemned as a man who had violated sworn rights (*leges sacratae*), and whoever was guilty of that crime, had accursed himself and his family; it is further said, that such persons were sold as slaves near the temple of Ceres. How then could his wife and children continue to live at Rome, if such a sentence had been pronounced upon them? It is impossible to think of mercy in those times. The places against which Coriolanus had made war were allied with the Romans, and as whoever made war against them was at war with Rome, the Romans ought to have marched out against him. Consequently, when

he appeared before Rome he could no longer offer peace or war, but only a truce or terms of a truce; and the Romans, on the other hand, could not possibly conclude peace on their own responsibility, without consulting the Latins and Hernicans. The old tradition goes on to say, that the *interdictio aquae et ignis* which had been pronounced against Coriolanus was withdrawn, but that he did not accept the withdrawal, and made demands on behalf of the Volscians; but when the matrons had moved him, he departed and dropped all the stipulations he had made for them. From that moment we find no further trace of him, except the statement of Fabius, that up to an advanced age he lived among the Volscians, and that one day he said: "It is only in his old age that a man feels what it is to live in exile away from his country." Others, seeing that the Volscians could not have been satisfied with such a mode of acting, stated that they followed him on account of his personal influence, but that afterwards, being abandoned by him, they stoned him to death on the accusation of Attius Tullus. But this was not believed by Livy, because it was contrary to the account of Fabius.

We cannot say that the whole history of Coriolanus is a fiction, he is too prominent a person in Roman tradition to be altogether fabulous. But as regards the statement that he was a commander of the Volscian armies, it must be traced to the natural feeling that it is less painful to be conquered by one's own countrymen than by foreigners: with such national feelings, the Romans pictured to themselves the Volscian war, and thus consoled themselves and the Latins for the disgrace of the defeat, in consequence of which the Volscians made such extensive conquests. In the same spirit, they invented stories about the generosity of Coriolanus and about his death. I believe that Fabius was right in asserting that Coriolanus lived in exile among the Volscians to his old age. The statement that Rome was on the brink of destruction is probable,

and it may be admitted that the description of the distress is not quite fictitious, but it cannot be denied that the three different embassies of senators, priests and matrons, are inventions made for the purpose of elevating the hero. The two estates mutually decry each other in their accounts; hence the plebeians appear from the first quite downcast and the patricians quite proud, as if they would hear of no reconciliation with Coriolanus.

I believe that the truth is very different. At that time there still existed a great many who had emigrated with the Tarquins, and they gathered together wherever they found a rallying point; now I believe that Coriolanus, after withdrawing to the Volscians, formed such a rallying point for them. As he thus found a small army of Roman emigrants who were joined by Volscians, he marched with them to the Roman frontier, not that he imagined he would be able to force his way through the gates or walls of Rome, but he encamped near it and declared war, just like the persons in Dithmarsch who had renounced their country. He first granted a term of thirty days, that the senate might consider whether his demands were to be complied with or not. As the senate did not come to a decision, he waited three days longer—a term which a state or general demanding reparation takes to consider whether he shall declare war, or in what manner he is to treat the proposals that may have been made to him. Coriolanus was undoubtedly joined by the partisans of Tarquinius, by many who had been sent into exile in consequence of crimes, and lastly by Volscians. The republic invited him to return; the entreaties of his mother, his wife and the other matrons, who implored him, can have no other meaning than that he should return alone and not bring with him that terrible band of men. He probably answered that he could not return alone and forsake his companions. If he had returned, he could have done nothing else than set himself up as a tyrant, as was so often the case in Greece with the *φυγάδες*, whose return



was a real scourge to their country, they being almost under the necessity of crushing the party by whom they had been expelled. We here see him act in a noble spirit, refusing to return in this manner, and rather dismissing his own relatives on whom he was obliged to make an impression by renouncing his own country: a great man might indeed make such an impression in those times. Towards the Volscians he behaved with perfect justice, and it is possible that he actually came forward as mediator between them and Rome, and prevailed upon the latter to give up Antium and grant the isopolity. He thus discharged his

duty towards those who had received him, and Rome gained through him the immense advantage of a reconciliation with her most dangerous enemy; the Volscians had pressed Rome most severely, and there now remained only the Aequians, whom it was easy to resist. The childish vanity of the Romans has so completely disguised this Volscian peace that until our own times, no one understood it; without it the whole history would be incoherent; it saved Rome and gave her time to recover her strength; an opportunity which she used with great wisdom.

## LECTURE XXXVI.

It is one of the distinguishing features of the history of Rome, that many an event which had every appearance of being ruinous was the very means of producing a favourable crisis in her affairs. After the plague and the unfortunate war of the Volscians, we might have expected to see Rome reduced to extremities: the peace with the Volscians was, in the eyes of posterity, to some extent a humiliation, and for this reason they concealed it; but how wise and advantageous it was for Rome under the circumstances, we have already seen; we may assert that through it Rome acquired a power which it would never have obtained even by the most successful issue of the war. The destruction of the Latin state virtually did away with the equality which was secured by the treaty of Sp. Cassius. The common opinion, as found in Dionysius, and also in Livy, is, that the Latins were subjects of the Romans, and that the war under Manlius and Decius in the year A.U. 410 (415), was a kind of insurrection. This is contradicted by the statement of Cincius in Festus, according to which the Latins, in his opinion, ever since the time of Tullus Hostilius formed a dis-

tinct republic, and had the supremacy alternately with Rome. The truth of the matter is this: from the time of Servius Tullius down to Tarquinius Superbus, the Latins stood in the relation of equality with Rome, but under Tarquinius they were subdued; this state of submission was interrupted by the insurrection of Latium after the expulsion of the kings, but was perhaps restored for a few years after the battle of lake Regillus, until at length equality was re-established by the treaty of Sp. Cassius. It actually existed for a period of thirty years; but when the Latin towns were partly occupied and partly destroyed by the Volscians, and when scarcely the fourth part of the Latin confederacy continued to exist, this remnant could of course no longer lay claim to the same equality with Rome as the entire confederacy had done before. It can be proved that at the beginning of the fourth century of Rome, the Latin towns had ceased to be united by any internal bond; they scarcely had a common court of justice, and some towns, such as Ardea, stood completely alone. The Latins now again came under the supremacy of Rome, as in the reign of Tarquinius Superbus.

To distinguish what is true for different periods is the only thread that can guide us through the labyrinth of Roman history. Isolated statements must be examined with great attention, and not be absolutely rejected; even contradictions are of importance in their place. As regards the Hernicans, I cannot say with perfect certainty whether they were reduced to the same condition as the Latins, though it appears to me very probable. After the Gallic conflagration, the Latins again shook off the Roman dominion and renewed their claims to equality. This claim gave rise to a war which lasted thirty-two, or according to the more probable chronology, twenty-eight years, and ended in a peace by which the ancient treaty of Sp. Cassius was restored. Owing to the consequences of the Volscian war, Rome in the meantime enjoyed the advantage of standing alone and being unshackled.

In the city of Rome itself the ferment was still great, and according to Dion Cassius the assassination of distinguished plebeians was not an uncommon occurrence. Amid these commotions, the agrarian law and the bill for a revision of the legislature were constantly brought forward. It is impossible to say who induced the plebes to increase the number of their tribunes to ten, two for each class: their authority certainly could not be enlarged by this numerical augmentation. At the time of this increase, we meet with a strange occurrence, which however is very obscure. Valerius Maximus says that a tribune, P. Mucius, ordered his nine colleagues to be burnt alive as guilty of high treason, because, under the guidance of Sp. Cassius, they had opposed the completion of the election of magistrates. The times are here evidently in perfect confusion; for ten tribunes were first elected in the year A.U. 297, and the consulship of Sp. Cassius occurs twenty-eight years earlier. There are two ways in which we may account for this tradition: these tribunes had either acted as traitors towards the plebes, which is scarcely conceivable, as they were

elected by the tribes: or P. Mucius was not a tribune of the people, or at least the sentence was not pronounced by him, but by the curies, who thus punished the tribunes for violating the peace. There must be some truth in the story, since it is mentioned by Zonaras also (from Dion Cassius); it is not impossible that this occurrence is identical with the accusation of nine tribunes mentioned by Livy about the time of the Canuleian disputes.

I shall pass over the insignificant wars with the Aequians and Sabines, as well as some legislative enactments, though they are of great interest in Roman antiquities, and dwell at some length upon the Terentilian law; in which the tribunes demanded an equality of rights for the two estates. It would be highly interesting if we could know the detail of the disputes on the Terentilian law; but this is impossible, and we have only quite isolated statements to guide us. One of them is, that a trireme, with three ambassadors, was sent from Rome for the purpose of making a collection of the Greek laws, especially those of Athens. The credibility of this account has been the subject of much discussion, and I now retract the opinion which I expressed in the first edition of my Roman history; I had then, like my predecessors, not considered that the two questions whether the Roman law was derived from the Attic law, and whether Roman ambassadors did go to Athens, are perfectly distinct. If a person asks: Are the Roman laws derived from those of the Athenians? the answer must be decidedly negative. There are only two Solonian laws, which are said to be found in the Pandects also, but these are quite insignificant and might with equal justice be derived from the laws of other nations; it would not be difficult to find some German laws which likewise agree with Roman ones. Moreover we cannot tell how far the national affinity between Greeks, Romans, and Pelasgians, might produce a resemblance in their laws. Nothing that is peculiar to the Roman law is found in the Attic law; the former is quite peculiar in

the law of persons and in the law of things. The Greeks never had the law of paternal power as we find it at Rome; they never had a law by which a wife in marrying entered into the relation of a daughter to her husband; and in regard to property they never had any thing like the *jus mancipii*; the distinction between property acquired by purchase and absolute property, between property and hereditary possession, does not exist in the Attic law; the Roman laws of inheritance, of debt and of contracts of loan, were perfectly foreign to the Athenians, and the Roman form of procedure again was quite different from that of the Athenians. These points are well known to every one acquainted with the Attic orators. The Attic law belongs to a much later time, when the ancient forms had already become greatly softened and polished; in them we behold a state of civil society which was wanting in the very thing which characterizes the Romans. All that we know of the laws of other Greek nations is equally foreign to those of Rome, and if perchance the laws of the states of Magna Graecia had any resemblance to the Roman, it certainly must have originated in their common Italian origin; thus the law of *ager limitatus* in the table of Heraclaea seems to have been like the law established at Rome.

From these circumstances, many have concluded that the account of the embassy to Greece is not entitled to belief, but the case may be looked upon in a different light. There is, perhaps, none of us who has not at some time or other, after mature consideration, undertaken things which have never been accomplished: this may happen to a state as well as to individuals. The embassy falls exactly in the time of Pericles, between the Persian and the Peloponnesian wars, when Athens was at her highest prosperity, and when the fame of that most powerful and wise city had spread far and wide. The fact that at a much later period (the age of Cassander) when a bust was to be erected to the wisest among the Greeks, the

Roman senate did not select Socrates, but Pythagoras, was quite in the spirit of an Italian nation; but their setting up a statue to Alcibiades as the bravest of the Greeks shews how familiar Athens was to the minds of the Romans; I may add that they did not judge incorrectly in regarding Alcibiades as the bravest. It may, therefore, after all, not have been quite in vain that the Romans sent an embassy to Greece; and they appear to have made the proper use of it in regard to their political constitution.

Another tradition respecting this legislation states, that Hermodorus, a wise Ephesian, who was staying at Rome, was consulted by the decemvirs. He is said to have been a friend of the great Heraclitus, and to have been exiled from Ephesus because he was too wise.<sup>1</sup> A *statua palliata*, which was believed to be of him, was shewn at Rome down to a late period: the tradition is ancient, and Hermodorus was not so celebrated as to induce the Romans without any motive to call him their instructor. He might act as adviser, as it was the avowed object of the legislation to abolish the differences between the two estates, to modify the constitution so as to make them as much as possible form one united whole, and lastly to effect a limitation of the consular *imperium*. But the civil code was not by any means derived from Greek sources; for there are provisions in Roman law which it is certain were expunged from the law of Athens even by Solon; the criminal code presents still greater differences.

It was from the beginning the intention to appoint a mixed commission of legislators. In Livy it seems as if the plebeians had entertained the unreasonable idea of choosing the legislators, five in number, from their own order exclusively; but Dionysius states the number at ten, the intention evidently being that five should be patricians and five plebeians. Now there is another strange statement in Livy, namely, that the plebeians urgently

<sup>1</sup> ἡμῶν μὴδὲς ἀνήϊστος ἔστω.

entreated that if a revision of the laws was to be undertaken, and the patricians would not allow them to take a part in it, the patricians themselves might begin it alone, and confer with them concerning the principles only. The rational conclusion was therefore come to that the members of a mixed commission would be involved in perpetual quarrels, and that it would be better to elect them from only one estate, provided the fundamental principles were agreed upon. It is, nevertheless, a remarkable fact that all authors concur in stating that the obnoxious laws, those which were injurious to plebeian liberty, were contained in the last two tables, the work of the second decemvirs; the first ten are not blamed, they merely granted isonomy, respecting which the parties had already agreed, as Appius is made, by Livy, to say—*se omnia jura summis infimisque aequasse*. The laws, which had hitherto been different for patricians and plebeians, now became the same for both orders, so that personal imprisonment and personal security might take place in the case of a patrician also.

There can be no doubt that the first ten decemvirs were all patricians of ancient families, and according to the recently discovered consular Fasti their title was *decemviri consulari potestate legibus scribendis*. They were appointed in the place of the consuls, the *praefectus urbi*, and the *quaestors*. But are Livy and Dionysius right in saying that the tribuneship likewise was suspended? It is incredible: for it would have been madness in the plebeians thus to allow their hands to be tied, and to renounce the protection of their tribunes; it is not till the second decemvirate that we find the plebeians *appellationi invicem cedentes*, and then C. Julius brought a criminal case before the people. The tribunes must have said: we agree that there shall be ten patrician lawgivers, but the continuance of the *leges sacratae* is to us a guarantee of our rights;—and the *leges sacratae* referred to the tribuneship. The error is very conceivable, and undoubtedly arose from the fact

that the tribuneship was suspended under the second decemvirate. If we bear in mind that under the first decemvirs the tribuneship was not suspended, and that the object of their labours was a common law for all, every thing becomes clear; all points in regard to which there might be a collision of the two estates, were reserved for subsequent deliberation.

But besides this task of establishing a general law, the commissioners had to settle the constitution on the principle that the two estates were to be put on a footing of equality. In the projected constitution, two points were agreed upon, namely that the tribuneship should be abolished, and that the highest power should be given to men of both orders. The last five names mentioned by Livy in the second decemvirate are plebeian and belong to families which do not occur in the Fasti previously to the Licinian law, and afterwards only as plebeian consuls; Dionysius expressly recognises three of them as plebeians, and the two others who, it is said, were chosen by Appius and the nobles from the lesser gentes, were likewise plebeians, as must be evident to every one acquainted with the Roman gentes; whence Livy places them at the end of his list: the mistake of Dionysius arose from a confusion of the two decemvirates.<sup>2</sup> The first decemvirate represented the *decem primi* of the senate, who were elected after a *προβούλευμα* of the senate by the centuries; but the second was a *συναρχία* similar to that of the Attic archons, perhaps occasioned by a knowledge of the Attic laws. The second election was quite different from the first, the noblest, like the lowest patricians, canvassed for the votes of the plebeians (canvassing here appears for the first

<sup>2</sup> As long as I see such an error, and cannot rationally explain it, except on the supposition that it was committed by the author in a thoughtless moment, I feel uneasy; I cannot rest until I discover the source of the error; and I beg of you to exercise your minds in the same manner. Most of the errors in Livy and Dionysius are not the result of ignorance but of false premises.—N.



time), so that the election was perfectly free. Of these decemvirs six were military tribunes, three patricians and three plebeians, and these six were in reality the commanders in war; of the remaining four, two must be regarded as invested with censorial power and with that of the *præfectus urbi* combined with the presidency of the senate; the other two who had the authority of quaestors, had likewise in certain cases to perform military functions. One in each of these two pairs, of course, was a patrician and the other a plebeian. Now when Dionysius read that there were three patrician and three plebeian military tribunes, he might easily overlook the fact that the remaining four were likewise equally divided between the two orders, especially as the ancient books were probably written in a language which was very unintelligible to him. The three decemvirs whom Dionysius recognises as plebeians are, Q. Poetelius, C. Duilius, and Sp. Oppius.

This constitution was intended to remain for ever. We can distinctly see what was the task the decemvirs had to perform and how they endeavoured to do it. The distinction between the *gentes maiores* and *minores* disappears from this time. The legislators considered the state from the point of view of the government, and they reasoned thus: "Since the *Publian* law the state has been unfortunate; the tribunes have the power of discussing any subject whether

agreeable or not; it is therefore a matter of importance to transfer this right of the tribunes to the decemvirs, as thereby the plebes too would obtain what they could fairly claim, for the *plebes* and *populus* must stand side by side and yet form one whole. The plebes therefore no longer want their tribunes, since they may appeal from the patrician decemvirs to the plebeian ones. It is, moreover, fair that patricians and plebeians should have an equal share in the senate, but the plebeians are to come in gradually until they shall have reached a certain number. The two estates must be carefully kept apart, yet be endowed with equal powers. The former right of the *gentes* to send their representatives into the senate, and the custom of a *curia* (or perhaps the consuls, though their power was much more limited than that of the censors of later times) electing a new member in case of a *gens* becoming extinct, are to be supplanted by a new institution, and a new magistracy must be created to superintend and decide upon the civil condition of the citizens, for example, to enrol an *aerarius* among the plebeians, or to raise the plebeian nobles to the rank of patricians." These are the principles on which the second decemvirs acted in their legislation: the consequences of these laws, and how little they answered the expectations formed of them, we shall see hereafter.

## LECTURE XXXVII.

SCARCELY any part of the civil law contained in the twelve tables has come down to us; one of the few portions with which we are acquainted is an enactment of one of the last two tables, that there should be no *connubium* between the *patres* and *plebes*. This enactment is so characteristic, that we may learn from it the spirit which pervaded the whole legislation; it is generally regarded as an innovation, for example, by Dionysius, and by Cicero in his work *De Re Publica*; but this opinion is based upon the erroneous supposition that all these laws were new, as if previously the Romans had either had no laws at all or quite different ones. But it never occurred to the mind of the ancients to frame an entirely new legislation;

all they did was to improve that which had been handed down to them by their ancestors. As the intention of the decemviral legislation was to bring the estates into closer connection and to equalise the laws for both, such a separation of the two orders assuredly cannot have been an innovation. In the middle ages too there is scarcely a single trace of such perfectly arbitrary legislation; and as I have been told by Savigny, it is not found anywhere except in the laws of the Emperor Frederick II. The opinion of our authors is based on nothing but their own conception of a new legislation, and is therefore of no authority; on the contrary it is in the highest degree improbable that a separation of this kind, with all its subsequent irritation, should have been introduced at a moment when so strong a desire after equality had been evinced.

But there are some other points which I do consider as innovations of the greatest importance, such as the unlimited right of making a will, which was established by the twelve tables. This right was conceded to every *pater familias*, but the later jurists introduced most important changes for the purpose of limiting this dangerous liberty: it cannot have existed from the earliest times. The consequence was a double form of making a will, namely in presence of the curies and *in procinctu*, that is before the symbol of the centuries, because they represented the *exercitus vocatus*: before these the testator declared his will, and if it was previously to a battle, the soldier made this declaration in presence of the army itself; when a patrician wanted to dispose of his property, the chief pontiff assembled the curies, which had to sanction his will. The reason of this lay in the nature of the circumstances. If a person left children behind him it was probably not customary in ancient times to make a will; but if he died without issue his relatives succeeded to his property; if there were no relatives the property went to the gentes, and if the whole gens was extinct it went to the curia.

Formerly when I read in the Aulularia of Plautus:<sup>1</sup> *Nam noster nostrae qui est magister curiae, Dividere argenti dixit nummos in viros*, I used to think that it was a pure translation from the Greek, for Euclio represents an aetolian, and how does he get into a curia? But the whole relation is purely Roman: property was left to the curia, and this inheritance was divided *viriliter*.<sup>2</sup> Here then we have a good reason why the sanction of the curies was required. It is to be regretted that the leaf in Gaius which contained this law is illegible. In like manner the plebeians too seem to have had their gentilician inheritances, which ultimately fell to the tribe, and hence here also the *exercitus vocatus*, that is the centuries, had to give its consent, because a will could not be made without the auspices, which the plebeian tribes did not possess. Similar regulations concerning the succession to property exist to this day in the island of Fehmern, as I learned last summer during an excursion. The inhabitants consist of two clans or gentes with the laws and manners of Dithmarsch; and if a member of these gentes wants to make his will, he must give to his cousins (*gentiles*) a small sum as a compensation for the money which in reality belongs to them as his gentiles. In Dithmarsch itself this law has disappeared, nor have I been able to discover any trace of it in other parts of Germany, a proof that very important and general laws may often disappear and leave but few and slender vestiges. The curies when called upon to sanction a will, were of course at liberty to refuse it, but as it was a law of the twelve tables: *Paterfamilias uti legassit super pecunia tutelave suae rei ita jussit*, it is evident that the sanction was only *dicis causa*. This regulation had an incredible influence upon Roman manners; but it was necessary, because the connubium between the two orders was not permitted, for even the child

<sup>1</sup> i. 2. 29; comp. ii. 2. 2.—Ed.

<sup>2</sup> The nature of the curies had become essentially altered in the course of time. See *Hist. of Rome*, ii. p. 319.—Ed.

of a plebeian by a patrician woman could not by law succeed to the father's property; and if the father wished to make a bequest to such a child, he needed a special law to enable him to do so. When the connubium was afterwards established, the freedom of making a will nevertheless continued to exist, and in the corruption of later ages, led to the most disgraceful abuses; the *lex Furia testamentaria*, which for good reasons I assign to the period about A.U. 450, is a proof that a tendency to abuse was manifested even at that early time.

The law of debt likewise must have been contained in one of the last two tables, since Cicero describes them as thoroughly unfair; for this was binding upon the plebeians only: the last two tables undoubtedly consisted of nothing but exceptions.

The most important part of the decemviral legislation is the *jus publicum*, a fact which was formerly quite overlooked by jurists, who saw in it a code of laws like that of Justinian, only very scanty and barbarous. But Cicero and Livy expressly call it *fons omnis publici privatique juris*, and Cicero<sup>3</sup> in his imitations of the laws of the twelve tables also speaks of the administration of the republic. All the institutions, however, which continued to exist unaltered, were surely not touched upon in the twelve tables, as, for example, the whole constitution of the centuries; but we have very few traces of the changes in the public law which were introduced by them. One of them is the enactment that no more *privilegia* should be granted, *i. e.*, no laws against individuals, or condemnations of individuals. Hence we must infer that previously there existed regulations against individuals similar to the ostracism at Athens. It is probable, moreover, that the mutual accusations of the two orders now ceased, and that the centuries were regarded as a general national court. There is indeed no express testimony, but, even though it is not possible to answer for the au-

thenticity of all cases recorded, it is, generally speaking, a fact well established by the events of history itself, that until then the accusations made by the tribunes were brought before the plebes, and those preferred by the quaestors before the curies, but afterwards we hear no more of such accusations. Accusations before the tribes as well as before the curies certainly continue to occur in particular cases, but no longer in consequence of an opposition between the two orders.

The change by which the clients became members of the tribes—a fact which afterwards becomes clear—was probably made at the same time, for the plebeian tribes, independently of their import as such, were also to form a general national division; but though there are some plausible reasons for this supposition, it is possible also that the change may not have been introduced till 100 or 120 years later. If Camillus was condemned by the tribes, we may perhaps account for it in this manner; his *tribules* certainly are mentioned in the trial. Among the wise laws of the twelve tables, which Cicero incorporates with his laws, he mentions, with reference to his own tumultuous condemnation by the tribes, that a judgment *de capite civis* could be passed only by the *comitatus maximus*. We certainly cannot assert that previously to the decemviral legislation, the centuries were not authorised to act as a court of justice: I have discovered a formula which must belong to an earlier period, and probably refers to the centuries as a court of justice, and the time will probably come when we shall arrive at a positive conviction on this point. If it was so, we must suppose that the constitution of the centuries as a court of justice took place shortly before the decemviral legislation, for till then the *judicia capitis* belonged to the curies and tribes. The trials of Coriolanus and K. Quinctius did not take place before the centuries. If in later times we find an instance of a condemnation by the curies, it must be regarded as an illegal act of violence. The tribunes accordingly henceforth

<sup>3</sup> In his work *De Legibus*.—N.

brought a *crimen capitis* before the centuries, and a mere *multa* before the tribes; it often happens too that the person who is condemned goes into exile and loses his franchise. Here we must bear in mind the principle mentioned by Cicero in his speech for Caecina, that exile did not imply the loss of the franchise, for exile was not a punishment: the loss of the franchise did not take place until a person was admitted to the citizenship of a foreign state. From this point of view we must look at the condemnation of Camillus, if indeed he was actually condemned by the tribes and not by the curies, for the latter is far more probable.

In this manner, the sphere of the nation as a whole became greatly extended, and instead of appeals to the two orders separately, there occur scarcely any appeals except those to the centuries. The existence of this law sufficiently proves the mistake of those who believe that the decenvirs assumed all jurisdiction to themselves; the error arose from the belief that as the ancient right of appeal to the two estates had been abolished, an appeal was now made from one college to another. The cases of appeal from the consuls to the people afterwards occur very rarely, and even those few instances are extremely problematical; the appeal to the assembled court of the commonalty was probably abolished, and according to a natural development of the constitution, the tribunes, as the direct representatives of the plebes, stepped into its place, since a resolution of the whole commonalty was after all only an illusion.

Other laws likewise which are mentioned must perhaps be regarded as innovations, as, for example, that a person who had pledged himself for debt, should have the same rights as a free man.

Ever since the battle of lake Regillus the accounts of Livy and Dionysius are, in many years, in perfect harmony with each other, important discrepancies occurring but rarely. The history of the decenviral legislation also furnishes an example of this

agreement, but other accounts, small as they are in number, do not agree with them at all; hence their agreement cannot be quoted as evidence that their statements contain historical truth, but merely leads us to suppose that the two historians by chance made use of the same sources for this period. The narrative of Livy is particularly beautiful and elaborate. The statement that a second set of decenvirs was appointed because two tables were yet wanting is foolish; I have already expressed an opinion that it was probably intended to institute the decemvirate as a permanent magistracy, to abolish the consulship and tribuneship, and that the decenvirs of the second year were elected not as law-givers, but as the highest magistrates, and with power to add two tables to the ten already drawn up. My conjecture, which I here state with tolerable confidence, is that these decenvirs were not elected for one year only, but for several, perhaps for five: we are told that on the ides of May they did not lay down their office, and this is described as a usurpation. Had this been so, it would have been a true *δυναστεία* in the genuine Greek sense of the word in which it is the opposite of *τυραννίς*, a distinction unknown in the Latin language, although not without example in ancient history.<sup>4</sup> In electing the decenvirs it must have been intended, as was the case ever after, that whoever had been invested with this office should become a member of the senate; but ten new members every year would have caused too great an increase, and it seems more easy to suppose that our authors over-

<sup>4</sup> The constitutional history of Elis presents a true counterpart of that of Rome. The highest magistrate there was at first appointed for life; even in the Peloponnesian war the gentes in Elis were alone sovereign, the surrounding territory was in a subject condition, and all power was in the hands of a council of ninety men who were elected for life. The people was divided into three phylae, and each phyle into thirty gentes. Afterwards the country population obtained the franchise. All Elis was divided into twelve regions, and the nation into twelve tribes, four of which were lost in war, so that there remained only eight.—N.



looked the intention that they should hold their office for more than one year, than that the decemvirs arbitrarily prolonged the period of their office, a thing which they could not have ventured to do.

In the second year, history shows us the decemvirs in the possession of all magisterial power; they are said to have kept a guard of one hundred and twenty lictors (*βαβδοφόροι*), twelve for each as was the custom of all Greek oligarchs; these lictors therefore were to serve a purpose different from that of the consular lictors: they were to be like the *σωματοφύλακες* of the Greek tyrants. The decemvirs are described by Livy and Dionysius as profligate tyrants; but this account must be received with the same caution as the stories of most tyrants in antiquity, for the greatest monsters in history did not commit their crimes from a mere love of crime, but generally for some purpose. Cicero, moreover, relates that although the decemvirs did not behave quite as became citizens, yet one of them, C. Julius, respected the liberties of the people and summoned a popular court to judge one who was not *reus manifestus*. Appius Claudius and Sp. Oppius were the presidents of the senate: they administered justice in the city, and were probably invested with censorial power. Livy very graphically says that the forum and the curia grew silent, that the senate was seldom convened, and that no comitia were held. This was quite natural, for as the tribuneship of the people had been abolished, there were no comitia of the tribes nor any one to address the people in the forum; there were no politics to be discussed, for the constitution was quite new, and in the civil law, too, nothing further was to be done. The senate was rarely convoked, because the college of the decemvirs could do most things by itself; the patricians, therefore, went into the country and attended to their estates, many plebeians did the same, and there suddenly arose in the city a condition of the most profound peace. But the people had been so much accustomed to excitement that they

longed for new commotions; a feeling of unhappiness came over them, because every thing which had stirred up their minds had now disappeared all at once. Whoever like myself witnessed the period of the French revolution knows that great mental excitement becomes in the end as habitual and indispensable to man as gambling, or any other gratification and excitement of the senses. There is no feeling more painful than a sudden and perfect peace after a great revolution, and such a transition often becomes very dangerous. This was the case in the year 1648, when the Dutch had concluded peace with the Spaniards at Münster; contemporary writers relate the state of things which followed was intolerably tedious, the people became discontented and gave themselves up to a dissolute life, disputes arose between King William II. and the city of Amsterdam: any question however trifling was eagerly taken up in order to have an opportunity for giving vent to the passions. A similar state of feeling existed in France immediately after the restoration. Wherever men's minds are in this condition, ill feeling is necessarily produced between the government and the people: such was the case at Rome, and the people were dissatisfied with their new constitution. Hence even if the decemvirs had not been bad, or if Appius Claudius had been the only bad one among them, they could not easily have maintained themselves, nor would things have remained quiet. The plebeians had been disappointed in those members of their order who had become decemvirs; at first the tribunician protection is said not to have been missed, but gradually the plebeian decemvirs began to think it proper to use their power for their own advantage, and to share the *esprit du corps* of the others. Thus we can understand how the plebeian Sp. Oppius became even more odious than the rest, for he, as well as Appius Claudius, reduced creditors to the state of *addicti*; such deeds had hitherto been done only by patricians.

Under these circumstances, it must

have happened very opportunely for the decemvirs that a war with the Aequians and Sabines broke out, for they thereby acquired the means of occupying the people. It is related that the patriots L. Valerius Potitus and M. Horatius Barbatus came forward in the senate and demanded that the decemvirs should lay down their power before an army was enrolled, but that a majority of the senate resolved upon a levy being made at once. But I consider the speeches in Livy said to have been delivered on that occasion to be nothing but empty declamations, prompted by the idea that the decemvirs had usurped their power. If those speeches had been actually delivered, the so called patriots would have been traitors to their country, for the enemy had invaded and were devastating the Roman territory; resistance was necessary, there was no time for deliberations. Nothing, moreover, would have been easier than to levy an army, since tribunes no longer existed. The story of L. Siccius, whom the decemvirs are said to have caused to be assassinated, has in my opinion little probability: it looks a great deal too poetical. All we can do is to keep to the fact that two Roman armies took the field, while the main army was stationed on Mount Algidus against the Aequians. In the meantime a crime was committed in the city, of a kind which was of quite common occurrence in the Greek oligarchies. Appius Claudius became enamoured of the daughter of a centurion, L. Virginius. All accounts agree in saying that her death, like that of Lucretia, was the cause of the overthrow of the decemvirs; the statement is very ancient and in no way to be doubted: the rape of women and boys is a crime which was very commonly committed by tyrants against their subjects; Aristotle and Polybius also expressly inform us that the overthrow of oligarchies was often the result of such violation of female virtue. Appius Claudius suborned a false accuser, one of his own clients, who was to declare that the real mother of Virginia had been his slave, and that she

had sold the infant to the wife of Virginius, who, being herself sterile, wished to deceive her husband: this assertion the accuser wanted to establish by false witnesses; and Appius was resolved to adjudge Virginia as a slave to his client; but this was contrary to the laws of the twelve tables, for if the freedom of a Roman citizen was disputed, he could demand to be left in the enjoyment of it till the question was decided; only he was obliged to give security, as a person's value could be estimated in money. This was called *vindiciae secundum libertatem*, but Appius wanted to assign her *contra libertatem*. All the people in the forum then crowded around him entreating him to defer judgment, at least till her father, who was serving in the army, could return. When the lictor attempted to use force, the number of plebeians in the forum became so great and formidable, that Appius had not courage to abide by his determination, but requested the accuser to be satisfied with the security until the next court-day; but in order to crush the possibility even of a conspiracy, a court was to be held on the very next day. At the same time he sent messengers to the camp with orders that the father should be kept in the army; but Virginius, whom the betrothed of the maiden and other relatives had previously sent for, appeared on the next morning in the forum. The appearance of justice was now lost: if Appius allowed the matter to come to a formal investigation, the father would have unmasked the lie; for this reason Appius declared his conviction that the maiden was the slave of the accuser, and ordered her to be led away. The general indignation at this procedure gave Virginius courage, and under the pretext of taking leave of his daughter and consulting her nurse, he took her aside into a porticus and plunged into her breast a knife which he had snatched from one of the stalls round the forum. The bloody knife in his hands, he quitted the city without hindrance, and returned to the camp. The soldiers on hearing what had happened, unanimously refused

obedience to the decemvirs, and both armies united. From this point our accounts contradict one another; some state that the soldiers took possession of the Sacred Mount, and, as in the first secession, of the Aventine; but others reverse the statement. It is to be observed, that the commonalty then had twenty leaders, and consequently was again under the protection of its tribunes (phylarchs), who appointed from among themselves two men who were to act as presidents and negotiate with the rulers who were abandoned by the people in the city. The *tribuni sacrosancti* had been abolished by the decemviral constitution, but the tribunes as heads of the tribes had remained; and, headed by these, the plebeians were now in a more decided state of insurrection against the senate and the decemvirs than they had been forty years before; at that time they had seceded for the purpose of obtaining certain rights, whereas now they were fully armed as for a war. In this war the decemvirs would necessarily have been overpowered, especially as it is clear that many of the patricians also renounced their cause, though, as Livy justly remarks, most of them loved the decemviral constitution, because it had delivered them from the tribunician power: but still many of them, such as Valerius and Horatius, were anxious that the ancient constitution should be restored, as they were convinced that the tribuneship acted as a salutary check upon the consular power. It was accordingly resolved to negotiate with the plebes, and peace was concluded.

We still possess some remnants of different accounts respecting the fall of the decemvirs: that of Diodorus is quite different from the above; it might be said to be taken from Fabius if it did not contain one strange circumstance. According to this account, matters came to a decision much more quickly than according to Livy, for peace is said to have been concluded on the very next day after the occupation of the Aventine. According to Cicero, the disruption lasted for a long

time, nor does he know anything of Livy's statement that Valerius and Horatius were the mediators; he mentions Valerius afterwards as consul and continually engaged in reconciling the parties. These are traces of discrepant traditions, although the character of this period is in general quite different from that of the preceding one, and truly historical. According to a statement of Cicero, the plebeians marched from the Sacred Mount to the Aventine, which is certainly wrong, for they were always in possession of the Aventine; it is moreover probable that the obscure Icilian law referred to the fact, that the Aventine should be excluded from the union with Rome, and, as the real seat of the plebeians, should have its own magistrates. We must therefore suppose the meaning of the account to be that the army first occupied the Sacred Mount, and then marched towards the city, where they united with the members of their own order on the Aventine. The Capitol was surrendered to the armed troops, and this surrender shows most clearly the difference between the present plebeians and those who had seceded forty years before; the plebeians had gained a complete victory.

The decemvirs laid down their office, and the first election was that of ten tribunes, which was forthwith held under the presidency of the *pontifex maximus*, which was the strongest recognition on the part of the patricians; the inviolability of the plebeian magistrates thus became secured by the ecclesiastical law. It is a highly remarkable anomaly that they held their *concilia* in the place afterwards called the Circus Flaminius, which was to the plebeians what the Circus Maximus was to the patricians. These things happened in December, and henceforth the tribunes regularly entered upon their office in that month. For the purpose of restoring order in the state, it was resolved that two patrician magistrates should again be elected, but no longer with the former title of praetors, but with that of consuls, as we are informed by Zonaras,

## LECTURE XXXVIII.

THE very fact of the title of praetor being changed into consul is a proof that the magistracy was looked upon as something different from what it had been before; its dignity had diminished, for praetors are those who go before or have the command, whereas the word *consuls* signifies colleagues merely, and is quite an abstract name like decemvirs. This new form of the consulship, however, was not by any means intended as a restoration of the old constitution, or to take the place of the decemvirate, but was only an extraordinary and transitory measure. As a proof of this I may mention that the law which declared any one who did violence to a tribune or aedile an outlaw, was now extended also to judges and decemvirs. This law has been the subject of much dispute, but the mention of the decemvirs in it is well authenticated. Even the great Antonius Augustus, bishop of Tarragona, a man very distinguished for his knowledge of ancient monuments and public law, but who notwithstanding his great historical talent was unfortunately wanting in grammatical accuracy, saw that the judges here mentioned were the centumviri, or the judges who were appointed by the plebeians, three for each tribe, to decide in all questions about quiritarian property. He mentions this merely in a passing remark; but I have fully proved it in the new edition of my history. Most people understood these judges to be the consuls, and therefore concluded that the consuls were inviolable; it was just as great a mistake to imagine that the decemvirs mentioned in the law were the *decemviri stitibus judicandis*, who did not exist till the fifth century of Rome: the decemvirs are undoubtedly the *decemviri consulari potestate*, and especially the plebeian ones, the patricians being already sufficiently protected by their ancient laws.

When the tribuneship was restored, the patricians may have said: "You were right, for the praetors, as they formerly existed, had too excessive a power, and hence we shared the decemvirate with you; but now as you have your tribunes again, you would acquire an overwhelming power, and you must therefore leave the decemvirate to us alone." This the plebeians refused to do; and this put an end to the discussions about the restoration of the decemvirate; the consular power was retained, but with an important change. According to very authentic accounts, the elective assembly down to the year A.U. 269 was in possession of a truly free right of election; but after this time a change was made, first by a usurpation of the curies, and afterwards by a formal contract that one of the consuls should be nominated by the senate and sanctioned by the curies, and that the other should be elected by the centuries. In this election, the centuries might act with perfect freedom, as in all their other transactions, which was probably the consequence of the decemviral legislation; but the consul elected by them still required the sanction of the curies.

The power of the tribunes too was changed in one point. Before this time all things had been decided in their college by the majority, but according to Diodorus it now became law that the opposition of a single tribune could paralyze the whole college: this opposition was equivalent to an appeal to the tribes, and was an exemplification of the principle *vetantis major potestas*. According to Livy this law had existed before; but it is probable that it was at least not recognized until now, when the relation of the tribunes to the commonalty was changed: they were no longer the deputies, but the representatives of their order, which was in reality a



change for the worse, though its evil consequences were not felt till several generations later. Here we again perceive the skill and prudence of the government, since they might hope always to find one at least in the college, ready to support their interests. Cicero says, that the tribuneship saved Rome from a revolution; if the people had been refused their tribunes, it would have been necessary to retain the kings.

The centuries had now obtained jurisdiction; according to the religious law, the comitia of the centuries had their auspices, the gods being consulted as to whether that which was to be brought before the comitia was pleasing to them. Now as the tribunes had the right to bring accusations before the centuries, it follows that they must have been entitled to take the auspices (*de coelo observare*). This is expressed in the statement of Zonaras, that the tribunes received permission to consult the auspices. According to a remark in Diodorus, any person should be outlawed who caused the plebeians to be without their tribunes. At the close of the year we meet with the strange circumstance of two patricians being among the tribunes; they were either patricians who had gone over to the plebeians, or the patricians acted upon the principle, which was perfectly correct, that the tribunes, considering their power of interfering in the movements of the state, were no longer the magistrates of a part of the nation, but of the whole nation. It is expressly attested, that at that time many patricians went over to the plebeians, but the other explanation also has great probability. From this time forward patricians are often mentioned as tribunes of the plebeians, and in the discussions about the separation of the plebes and their settling at Veii, we read that the senators went about *prensantes suos quisque tribules*; and about fifteen years after the time of the decemvirs, Mamercus Aemilius is said to have been struck out from the list of his tribe, and to have been placed among the *aerarii*; Camillus

too is stated to have applied to his tribunes, though here, it might be said, we must understand his patrician gentiles. That in the time of Cicero all the patricians belonged to the tribes, is well known; Caesar belonged to the tribus Fabia, and Sulpicius to the tribus Lemonia. After the Hannibalian war, C. Claudius is made to say by Livy, that to strike a person from all the thirty-five tribes was the same as to deprive him of the franchise; and M. Livius removed his colleague Claudius from his tribe. More examples of the same kind might easily be accumulated. In the early times, there were both patrician and plebeian tribes, but at a later period the three patrician tribes of the Ramnes, Tities and Luceres are no longer spoken of, and they appeared in the centuries only as the *sex suffragia*. The whole Roman nation therefore was now comprised in the tribes. The same was the case at Athens, when the ten phylae of the demos became the only ones, and the four ancient mixed phylae disappeared. I formerly believed that this was the work of the decemviral legislation; but if we consider the care with which the decemvirs kept the two orders apart in other respects, we cannot possibly suppose, that they introduced a fusion in this particular. We must place the change somewhat later, and the fittest opportunity seems to be the time of the second censors, so that the change was made soon after the decemviral legislation. We read in the fragments of Dion Cassius, that the patricians preferred the condition of the plebeians to their own, because they had greater power, and that for this reason they went over to them. The power indeed of the plebeians at that time was not greater, but they had greater strength, and it could easily be foreseen to what, in the course of time, they would attain; many therefore may have thought it a more agreeable position to stand in the ranks of those who were advancing, than among those who were stationary, and could act only on the defensive.

The decemvirs were accused; Appius Claudius and Sp. Oppius died in prison. The latter was a plebeian, a proof that the plebeians must not be regarded as persons possessed of peculiar virtues. Wherever a state is divided into factions and the ruling party abuses its power, our sympathies go with the weaker party. Sp. Oppius was perhaps one of those who had before been very loud in his denunciations against tyranny, but afterwards became a tyrant himself. L. Virginius, who had been appointed tribune to avenge the blood of his daughter, brought a capital charge against Appius,<sup>1</sup> and by virtue of his tribunician power ordered him to be thrown into prison. Livy's account here leads us to a curious point. It is a very general opinion that every Roman citizen had the right to escape from a sentence of death by going into exile. If this had been the case, we might wonder why the punishment of death was instituted at all, and yet the ancient Roman laws were not sparing of it; but the fact is different: the views of the ancients in regard to criminal law differ from ours almost more than in regard to any other subject. According to our notions a criminal must be tried, even if he has been caught in the act; we consider it almost a duty on his part to deny his crime, and he must be convicted by evidence; advocates may defend him and attempt to misguide the court. Of such a mode of proceeding the ancients had no idea: when a person had committed a crime, the statement of witnesses was sufficient to cause him to be forthwith apprehended and dragged before a magistrate: if the crime was not a *delictum manifestum*, the offender, if a plebeian, might call for the assistance of a tribune and give security; if after this he was set free, he might sacrifice his sureties and go into exile. But if he had been caught in a *delictum manifestum in flagranti*, and the *testes locupletes* declared that they were present and bore witness to his identity,

no trial took place: the criminal was dragged *obtorio collo*, the toga being drawn over his head, before the magistrate, who forthwith pronounced sentence. If the day on which the criminal was caught, was not a court-day, he was taken to prison until the next court-day. If, on the other hand, a person committed a capital offence of such a kind that catching him *in flagranti* was impossible, nevertheless the accuser had the means of obtaining the imprisonment of the culprit.<sup>2</sup> Appius Claudius, for example, was guilty of a capital offence: he had deprived a citizen of his liberty, and Virginius accused him without allowing him to give security, in order that he might not escape; in such a case the accuser might offer to the defendant a *sponsio*, a kind of wager, consisting of a sum of money (*sacramentum*) on the part of the accuser against the personal liberty of the defendant. The accuser said: You have deprived a citizen of his liberty; the accused denied the charge, and if the *judex* chosen for the case declared for the accuser, no further trial was necessary: the criminal was forthwith led before the magistrate, and executed; if however the *judex* decided against the accuser, the latter lost the *sacramentum*. If the accused declined to accept the *sponsio*, he was thrown into prison. The question now is, whether in such a case as this the accuser was obliged to drop his suit or to accept the security. The passages which decide this question, occur in Livy and Cicero. The accused remained in prison only till the next court-day, and thus the smallness of the prison at Rome becomes intelligible; confinement in its darkness was of itself a forerunner of death, and he who was thrown into it was lost. Cicero says: *carcerem vindicem nefariorum ac manifestorum scelerum majores esse voluerunt*; the criminal either had his neck broken in the prison, or was led out to be executed. The Greek customs connected with imprisonment are much more like those of our own times. I may here

<sup>1</sup> A. Virginius in Livy is probably a mistake of a copyist who was thinking of the earlier tribune of this name.—N.

<sup>2</sup> On this subject comp. *Hist of Rome*, vol. ii. p. 370, fol.—ED.

add the remark, that when an accusation was brought against a *filius familias*, the father acted as judge; if against a client, the patron.

Another part of the Roman criminal law entirely different from our own, was that relating to offences against the state. For many of them no punishment was fixed, it being a distinct maxim with the ancients, that the state must preserve itself—*salus publica suprema lex esto*. They well knew that the individual crimes against the state admitted of the greatest variety of shades, that the same external act might arise either from error or from the most criminal intention, and that accordingly it was impossible to fix a special punishment for each particular case. Hence both Greeks and Romans in all *judicia publica* granted to the accused himself the extraordinary privilege of proposing any definite punishment such as he thought proportioned to the nature of his offence, and that even in cases for which there already existed a precedent. The same privilege seems to have been transferred even to *judicia privata*, in those cases for which no provision was made in the criminal code. In modern times the foolish notion has been established, that a punishment should be inflicted only according to a positive law; and this sad mistake is adopted every where. The ancients followed the directly opposite principle: a boy who tortured an animal, was sentenced to death by the Athenian popular assembly, although there was no law for the protection of animals; it was on the same principle that a person who was only guilty of an act repulsive to the common feeling of honour, was condemned to die.

Up to this time the patricians seem to have claimed for themselves the privilege which exempted them from being thrown into prison; for it is related that Appius called the *carcer* the domicile of the plebeians. Virginius showed himself generous in granting to Appius time to make away with himself. But Sp. Oppius was executed, because his crime was of a different kind and not one against an

individual who might be lenient towards him; for the story that he ordered an old soldier who had served for twenty-seven years to be scourged, and that this man came forward as his accuser, is evidently a fiction. The period of a soldier's actual service lasted twenty-eight years, and the introduction in this story of one who was in the last year of his military service, is evidently a representation of tyranny in general. The other decemvirs went into voluntary exile, and their property was confiscated. One of them was Q. Fabius, the ancestor of the subsequent gens Fabia. After these events, the tribune M. Duilius pronounced an amnesty for all who had been guilty of any offence during the preceding unhappy period. This precedent is of great importance in the history of judicial proceedings among the Romans. I had distinctly expressed my opinion upon these proceedings long before the discovery of Gaius, when the most absurd notions were current about the Roman criminal law; but the fragments of Gaius and the labours of Savigny have made everything much clearer.

At first the patricians had been in great consternation, and sanctioned all the laws which were proposed. Among them was one which gave to *plebiscita* the power of laws binding upon all, *ut quod tributim plebes jussisset populum teneret*. This law is one of the greatest mysteries in Roman history, and there is no possibility of giving an absolute historical solution of the difficulty, though I have formed a hypothesis respecting it, of the truth of which I am convinced. The law as stated above is recorded by Livy, who afterwards, in his eighth book, says of the second Publilian law *ut plebiscita omnes Quirites tenerent*; and in the same terms Pliny and Laelius Felix (in Gellius) quote the law of Hortensius which falls 160 years later, and of which Gaius says: *ut plebiscita populum tenerent*. Now on considering these three laws (the Publilian is mentioned only by Livy), they seem to enact the same thing; but is this really the case? was the law twice renewed be-

cause it had fallen into oblivion? If we examine the character of these laws in reference to the various times to which they belong, it will be seen that their meaning was different, and that the force of *plebiscita* was not interpreted always in the same manner. The result of my investigations is, that Livy, in mentioning the *lex Valeria Horatia*, was not accurate, because he himself did not see clearly, and because he was thinking of the well-known Hortensian law. The law probably ran thus: *quæ plebes tributim jussisset, quarum rerum patres auctores facti sint, ut populum teneant*, for from this time forward the legislative proceedings are often described as follows: when the tribunes had got the commonalty to pass a resolution, they then brought it before the curies, which forthwith voted upon it; this was an abbreviation of the ordinary mode of proceeding, according to which legislative proposals, after being sanctioned by the senate, were first brought before the centuries and then before the curies; according to the new arrangement, the consultation of the senate and the passing through the centuries were abolished. The change was very important; for now the discussion of a matter might originate with the plebes themselves. It is clear, on the other hand, that without the sanction of the curies the *plebiscita* had not the power of laws, as we see more especially during the contest about the Licinian laws; resolutions of the plebes may at that time have been termed *leges*, merely because they became *leges* as soon as they obtained the consent of the curies. In cases when the plebes and the curies were not divided by party interests, every thing was sanctioned by the latter. It must further be observed that this law was carried not by a tribunician, but by a consular rogation. The Publilian law had been rendered superfluous by the decemviral legislation, which did not recognise any *comitia tributa*.

The later Publilian law of the dictator Q. Publilius Philo has quite a different meaning; for it dispensed with the assent of the curies to a reso-

lution passed by the tribes, because it was too tedious a proceeding, and the senate after all had the right of proposal. His law *ut plebiscita omnem populum teneant*, should in all probability run *ut plebiscita quæ senatus auctores facti sint omnes Quirites teneant*, for from this time it is often mentioned in regard to matters affecting the administration, that the senate commissioned the consuls to negotiate with the tribunes to bring proposals before the tribes; but this occurs only in matters connected with the administration (*ψηφίσματα*), for example, that a person should be invested with an extraordinary *imperium*, and not in legislative matters (*νόμοι*). This shortening of the proceedings was useful: for religious reasons, the curies and centuries could be assembled only on certain days, whereas the tribes might and did assemble every day, not being restricted by the *dies nefasti*. It became more and more evident, that general assemblies were a mere formality and depended too much upon accidental circumstances: the supposed personal opinion in voting is only imaginary; impulse and example do everything. It also became every day more evident that the more the state increased the greater became the want of a regular government: it was accordingly of importance to the Romans to devise forms for preventing arbitrary proceedings on the part of the government and for preserving publicity. In this respect the Romans differed especially from the Greeks, inasmuch as they committed themselves with confidence to the personal guidance of individuals, which never occurred at Athens.

Lastly, the Hortensian law has a meaning quite different from the preceding laws: it introduced a true democracy, by enacting that in the case of legislative measures (for in regard to administrative measures the second Publilian law remained in force) a preliminary resolution of the senate should be unnecessary, and that the plebes should have power to pass any resolution: the curies were at the same time deprived of their functions. This was a decisive victory of the democracy.



Administrative measures were resolutions on particular emergencies; and nothing of this kind could be brought before the plebes, even down to the end of the sixth century (A.U. 570), which had not previously been determined on by the senate; but for real laws a resolution of the plebes was sufficient. The ancient burghers thereby lost their power of regeneration, the balance was destroyed, and the scale sank on the side of democracy. The curies had been compelled even by the Publilian law, in the year A.U. 417, previously to the meeting of the centuries, to declare by a certain formula that they sanctioned whatever should be determined upon. It was a misfortune for the state that the curies had no means of regeneration: so long indeed as resolutions had to pass the centuries, it was not of much consequence, but the Hortensian law, which conferred all power upon the tribes alone, destroyed the salutary relations which had hitherto existed, and all the equipoise in the state.

In the first stage, these *plebiscita* were mere resolutions not affecting the state, but relating to such subjects as, for instance, the burial of an important person, the poll-tax, and the like; in the second, the plebes by virtue of the first Publilian law declared themselves authorized to draw up resolutions on general subjects, which however had to be taken into consideration by the consul, to be laid before the senate, and then to pass through the centuries and curies; in the third stage, after the Valerian law, a *plebiscitum* had the force of law as much as a resolution of the centuries, and was immediately brought before the curies and sanctioned by them. In the fourth, the later Publilian law rendered a *plebiscitum* a sufficient sanction of a resolution passed by the senate, which in urgent circumstances, when it was impossible to wait for the next *dies comitialis*, was communicated by the consul to the tribunes. It was sufficient if the tribunes announced a *concilium*; the *dies nefasti* affected only curule magistrates and the *populus*. If for example, at the end of a year an army

was in the field, the senate would have been obliged to send its resolution to the centuries and then to have it sanctioned by the curies; but the shorter way now adopted was that the consuls were commissioned, *ut cum tribunis plebis agerent quam primum fieri posset ad plebem ferrent*. This does not occur previously to the Publilian law. The Hortensian law lastly, in the fifth stage, authorised the plebes to act as an independent legislative assembly.

The consuls now took the field against the Aequians and Sabines, and returned after a brilliant victory, and having probably also established a lasting peace with the Sabines. In the meantime the patricians had acquired fresh courage, and those men of their own order, who during the confusion had honestly wished to do their best, now became the objects of their hatred, and accordingly the senate refused the triumph to the returning consuls. This is the first occasion on which we see the overwhelming power of the tribunes, for they interfered and granted the triumph on their own responsibility; their right to do so may be much doubted; but the consuls accepted the triumph, and if they had been disturbed, the tribunes would have assisted them. This occurrence shows how great the exasperation must have been even at that early period; in the year following it rose to such a height, that, as Livy says, the heads of the patricians met and discussed the plan of getting rid of their opponents by a general massacre, but this senseless scheme, for which they would have had to pay dearly, was not carried into effect.

The events which now occurred are very obscure, for the piety of posterity has thrown a veil over them. The people had got out of the painful stillness which followed the time of the decemvirate, but the constitution was yet far from having found its level, and there were disputes as to who was to govern. The plebeians demanded that either the consulship should be divided between the two estates, or that the decemviral form of government should be restored. In the following year,

the patricians shewed somewhat more willingness to make concessions: the *quaestores parricidii*, hitherto a patrician magistracy, were for the first time elected by the centuries; Valerius and Horatius, the consuls of the preceding year, were elected, which assuredly was not a mere accident. Many of the ancients, as Tacitus, Plutarch, and even Ulpian, are in error in regard to these quaestores, but Gaius is right. There were two kinds of quaestores, the *quaestores parricidii*, who brought accusations of offenders against the state before the curies, and the six *quaestores classici* who in books on Roman antiquities are invariably confounded with the former. Tacitus says of the latter what can apply only to the former: "The quaestors," says he, "were at first elected by the kings, and afterwards by the consuls, as is clear from a *lex curiata* of Brutus." But Tacitus cannot have seen this *lex*, for the *quaestores parricidii* are synonymous with the *decemviri perduellionis*, and the latter were always elected by the curies, or rather by the Ramnes and Tities which they represented. It is indeed impossible that Poplicola caused the *quaestores classici*, or paymasters, also to be elected; but the two who had been formerly elected by the curies, and who sixty-three years after the banishment of the kings (according to Tacitus), that is, in the second year after the overthrow of the decemvirs, were elected by the centuries, are the ancient *quaestores parricidii*, whose office continued until it was merged in that of the *curule aediles*. Nine tribunes hereupon made the proposal to leave the censorship and quaestorship to the patricians, and either to share the consulship, or to institute military tribunes with consular power: only one of their colleagues was of a different opinion. It is not impossible that the story of nine tribunes having once been sentenced by the *populus* to be burnt at the stake, and of one traitor, P. Mucius, having carried the sentence into execution, may refer to this time.<sup>3</sup> In this case the *populus* means the

curiae, which again usurped the power of passing such a sentence. Among these nine tribunes there was probably a son or grandson of Sp. Cassius, who had renounced his own order, and perished in the attempt to avenge his father or grandfather.

It was generally wished that the consuls and tribunes should be re-elected, but the consuls refused; and Duilius, who had been chosen to represent his colleagues, likewise refused to accept any votes for the tribuneship. This had evil consequences, and a division arose: the tribunes who wished to remain in office, probably had sufficient influence with their friends and followers to cause them to abstain from voting, so that only five tribunes were elected, who had to add five to their number. It is said that they also chose two patricians, which is an argument in favour of our assertion, that not long after the decemviral legislation, the importance of the tribes was doubled, inasmuch as they became a general national division.

A remarkable change which belongs to this period, is the abolition of the law forbidding the connubium between the patricians and the plebeians. This, as we know, had been an established custom from the earliest times, and had been incorporated in the laws of the twelve tables. Such a practice is usually not repulsive until it is written down among the laws; and thus, in this instance too, was raised the storm which occasioned the *plebiscitum* of Canuleius. This is generally regarded as the great victory of the plebeians; for the patricians, it is said, at last gave way, but reserved to themselves other rights. Livy looks upon it as a degradation of the ruling order. I will not quarrel with him for saying so, but if we look at the matter in its true light, it is evident that the existence of such a law injured none more than the patricians themselves. Mixed marriages between persons of the two estates had undoubtedly been frequent at all times, and as far as conscience was concerned they were perfectly legitimate. The son of such a marriage never had the *jus gentilicium*, but was

<sup>3</sup> See above, p. 177.

numbered among the plebeians, the consequence of which was, that the patrician order became continually less and less numerous. It is an acknowledged fact, that wherever the nobles insist upon marrying none but members of their own order, they become in course of time quite powerless. M. Rehberg mentions, that within fifty years one-third of the baronial families of the duchy of Bremen became extinct, and any body who wished to be regarded as equal to the rest had to shew sixteen ancestors. If the plebeians had wished to outwit the patricians, they certainly ought to have insisted upon the *connubium* remaining forbidden; and but for the Canuleian law, the patricians would have lost their position in the state one hundred years earlier. The law was passed, but whether it was in favour of the patricians or of the plebeians we know not. About such things we cannot speak with any probability, for even what appears absurd has sometimes really happened.

Afterwards, we once find three military tribunes instead of the consuls; and Dionysius on that occasion says, that it was determined to satisfy the plebeians by appointing military tribunes, three of whom were to be patricians, and three plebeians. But there were only three, and one of them was a plebeian. Livy foolishly considers all three to have been patricians. He thinks that the plebeians only wanted to have the right, but that having gained this they considered themselves unworthy of the office, and elected patricians. He speaks of the plebeians as if they had been unspeakably stupid, thus displaying the confusion of a man, who with all his genius, is yet in reality only a rhetorician, and proving that he was as little acquainted with the political affairs of Rome, as with the regulation of her armies. The probability is, that an agreement was made to give up the name of consul altogether, since

the two orders were no longer separate, and to leave the election entirely free between them; but that, nevertheless, all kinds of artifices were resorted to, that the elections might turn out in favour of the patricians. In the early time, the clients of the patricians were not contained in the tribes. They, like their patrons, used to be sent away from the forum when the plebeians proceeded to vote, and whoever was not a member of a tribe, was either not contained in the centuries at all, or voted in them only with the artisans and *capite censi*. But from this time forward there is no mention of anything in which the plebes and clients appear as opposed to each other, and this ought to convince us how authentic our accounts are, and how little they partake of the nature of fables. Is it possible that a late falsifier of history, who lived in the seventh century, should have been able so accurately to separate legal relations? Such a man is always deficient in learning, and even a learned man would have blundered here. The clients henceforth appear in the tribes, and consequently also in the centuries. This we know, partly from express testimony, and partly from the circumstances themselves. The discussions of the plebeians now assume quite a different character; they lose all their vehemence, and the contest between two opposed masses ceases all at once. The rejection of plebeians at elections, and the like, no longer arose from any external opposition, but from the internal dissensions of the plebeians themselves. Formerly the college of the tribunes was always unanimous, while henceforth it is frequently divided, some of its members being gained over to the interests of the senate, and motions which used to be brought forward by the whole college, are now made by single tribunes. These are proofs that the fusion of the two estates had been accomplished.

## LECTURE XXXIX.

THE military tribuneship had been regarded as a kind of compromise. Among the first three, Livy mentions L. Atilius Longus and T. Caecilius.<sup>1</sup> Instead of the latter, Dionysius, in the eleventh book, has Cloelius; but nothing can be decided, since the readings in the eleventh book are all of a very recent date. If Caecilius is the correct name, there were two plebeians among them: and this would account for the vehemence with which the patricians insisted upon abolishing the military tribuneships.

I believe that the censorship was instituted in the same year, A.U. 311, as the military tribuneships; and both therefore must have arisen from a common cause, a fact which Livy overlooks; and the circumstance of the first censors not being found in the *Fasti*, nor in the *libri magistratuum*, but only in one of the *libri lintei*, and that as consuls, is accounted for by the fact, that the censors were already elected in accordance with the laws of the twelve tables; and that when the patricians carried their point by violent commotion, the censors, of whom we have only one trace, were neither consuls nor military tribunes, but performed consular functions, and therefore took part in concluding the treaty with the Ardeatans. Livy could not explain this, nor could Macer make anything of it. It is strange to read in Livy, that the military tribunes were obliged to abdicate, because the *tabernaculum* had been *vitio captum*, and that T. Quinctius, as interrex (more probably as dictator), elected the two consuls, L. Papirius Mugillanus and L. Sempronius Atratinus, who, however, were not to be found in the *Fasti*; and yet he relates the affair as

quite certain. It is still more surprising, that the year after he says of these first censors, that they were elected censors for the purpose of indemnifying those *quorum de consulatu dubitabatur, ut eo magistratu parum solidum magistratum explerent*, as if in the year A.U. 312 there could have been any doubt as to what had happened in 311. Livy is here guilty of the same thoughtlessness as when, in the history of the second Punic war, he confounds one Heracleitus, a Macedonian ambassador, with the celebrated philosopher Heracleitus.

Now as regards the nature of the military tribunes, it must be avowed that this magistracy is very obscure to us.<sup>2</sup> Livy says of them *eos juribus et insignibus consularibus usos esse*, and they are also called *tribuni militares consulari potestate*; but Dion Cassius, that acute observer, who at one time himself occupied the curule chair, states that the military tribunes were inferior to the consuls, that none of them ever obtained a triumph, although many had done things deserving of one. This perfectly agrees with history; we further find that a consul was never appointed *magister equitum*, while military tribunes were sometimes invested with that office. This seems to show that the military tribunes were not curule magistrates, that is according to Gellius' explanation, not such magistrates as were allowed to ride in a chariot (as *Junio curulis*, whose image was carried on a chariot); the consuls rode in chariots to the curia; the full triumph was called *triumphus curulis*; according to the *monumentum Ancyrarum*, where the number of the *triumpfi curules* of Augustus are men-

<sup>1</sup> In some modern editions of Livy, we read Cloelius instead of Caecilius, but this is an emendation: the MSS. of Dionysius have Κλωσίον.—Ed.

<sup>2</sup> The repetitions which occur here and elsewhere arise from the fact, that the discussion was interrupted at the close of the hour, and was taken up again at the beginning of the next Lecture.—Ed.



tioned; the *ovatio* was different from such a triumph.<sup>3</sup> It seems, moreover, that the military tribunes never had any jurisdiction; but it was originally possessed by the censors and afterwards by the *præfectus urbi*, who probably also presided in the senate. This latter magistracy, too, had been abolished by the decemviral legislation, but now appears again. The consular power was thus weakened, just as was done afterwards when the Licinian law was carried: for when the consulship was divided between the patricians and plebeians, the praetorship was detached from it and constituted as a separate magistracy. It thus becomes intelligible why the plebeians preferred the election of military tribunes, even though they were not taken from their order, for the power of those magistrates was inferior to that of the consuls. According to Livy's account, it was always the senate which determined whether consuls or military tribunes should be elected; but it is more probable that this question was decided by the curies; confusion here may have arisen from the ambiguity of the word *patres*. The military tribuneship, however, presents surprising changes in number, for sometimes, though rarely, we find three, more frequently four, but from the year A.U. 347 or A.U. 348 regularly six, wherever they are mentioned, and in one year eight, the two censors being included. When there are four, one of them usually is the *præfectus urbi*, so that in reality there are only three. The right of the plebeians to be elected military tribunes was never disputed, but after the first election it

was nearly always frustrated, though by what means is incomprehensible, for Livy's account, which I have already mentioned, is foolish. It is possible indeed that an arrangement was made, and that the patricians said: "We grant the institution of a weaker magistracy, but then they must be elected from among our body exclusively;" or that it was in ancient times a privilege of the presiding magistrate not to accept any votes (*nomina non accipere*) which for various reasons could be rejected; or it may be that when six military tribunes were elected, the curies conferred the *imperium* only upon the patricians, and refused it to the plebeians. But on this last supposition, it is inconceivable how the plebeians should have acquiesced in it. We are here unfortunately without the guidance of Dionysius, who though he did not comprehend the relations, yet gave faithfully what he found in his authorities: if we had his account, the whole period would undoubtedly be much clearer to us. But we are confined to Livy, and on many points we cannot hope to obtain any certain information. After the last change, when the number of military tribunes became regularly six, we repeatedly find a majority of plebeians among them, and the regulation evidently was, that the number six should always be complete, and that they should be chosen without distinction from both orders. There is every appearance, that when this change was introduced, the election was transferred from the centuries to the tribes. Everything therefore depended upon the honesty of the president, and upon his accepting the votes or not. The sad policy by which Italy became great in the fifteenth and sixteenth centuries, now appears in Roman history, especially in the divisions of the college of tribunes; and this is, to some extent, the reason why the development of Rome was for a time compromised.

A period in which successful wars are carried on, as was the case with Rome from this time down to the Gallic calamity, is extremely well cal-

<sup>3</sup> It is a mysterious statement which occurs in Livy and elsewhere, that a special law was passed for a dictator, *ut ei equum ascendere liceret*. This is explained by saying that a dictator was not entitled to appear on horseback, whereas the *magister equitum* did possess this privilege. It is possible that the dictator was not only entitled to use a chariot, but that he was not allowed to appear otherwise than in a chariot, especially on his return from battle. An allusion to this is contained in a verse in Varro: *Dictator ubi currum insedit vehitur usque ad oppidum*. *Oppidum* according to Varro is the city wall (also a place surrounded with a wall, in opposition to *pagus* and *vicius*).—N.

culated to make the subjects of a state submit to things which they would not otherwise tolerate. The name of the Roman republic was surrounded with glory, great conquests and much booty were made, the plebeians as well as the patricians felt comfortable, and although the rulers were not popular, yet things were allowed to go on as they were. Rome thus recovered from the decline into which she had sunk ever since the *regifugium*. The grant of the connubium between the two orders also must have exercised a mighty influence: the families became more closely connected and attached to one another; a patrician born of a plebeian mother when sitting in the senate stood on a footing of equality with the plebeians, and perhaps did many a thing to please them. The number of plebeians in the senate may not have been very great, but the mere fact of their being there, even without influence, was agreeable to the whole body of plebeians.

The censorship being a permanent magistracy, and apparently the highest, had a lustre which far surpassed that of the military tribuneship. If we suppose that it was instituted by the twelve tables, it becomes clear why Cicero, in his work *De Legibus*, represents the censors as the first magistracy; he probably copied it from the twelve tables, and only omitted a few things; for in the twelve tables they had still more attributes. In the earlier times the consuls are said to have performed the functions of the censors, and this is very probable, considering the almost regal power of the consuls; but it is surprising how they can have discharged their enormous duties. The Greek states of Sicily and Italy, likewise had their *τυπῆται* (Athens had none), but in no part of Greece were their powers as extensive as at Rome. According to the Roman law, the censors had to conduct the census, and to determine a person's status in society. Accurate lists were kept of the property, births and deaths of the citizens, as well as of those who were admitted to the franchise. But we must distinguish between two kinds of

lists. One class consisted of lists of persons arranged according to names. Q. Mucius, for example, was registered under the *tribus Romilia* with his name, his whole family, and his taxable property. His sons, who had the *loga virilis*, probably had a *caput* of their own. The other lists were of a topographical kind, and contained a tabular view of landed estates according to the different regions, e. g. the *tribus Romilia* in all its parts. The ancients, in general, had much more writing than is commonly imagined; all was done with a minuteness which was part of their political forms. I once saw in London the registers of an Indian province—of course in a translation, for I do not understand one word of the Indian language—which were drawn up with a minuteness of which we can scarcely form an idea. The same was the case with the ancients. The registers of property at Athens were very minute, and so also even in later times were the Roman contracts before the *curiæ*. The division of the *jugera* was very accurately recorded in the lists of the Roman censors; the *caput* of each individual contained his descent, tribe, rank, property, etc. The censors at the same time had the right of transferring persons, for the purpose both of honouring and of disgracing them: but what were the offences which the censors punished with ignominy (*ignominia* is the real expression)? Every one at Rome was expected to answer the definition of his status. A plebeian was necessarily a husbandman, either a landed proprietor or a free labourer. This is established by positive testimony, and still more in a negative way, for no one could be a plebeian who was engaged in craft or a trade. Whoever so employed himself was struck from the list of his tribe, which accordingly was not so much a personal *ignominia*, as a declaration that a person had passed over from one side to the other. But whoever neglected his farm was likewise struck out from his tribe, i. e. it was declared that he was *de facto* not a husbandman. An *eques* who kept his horse badly was similarly treated, and this was the *notatio censoria*, by

which a person was degraded to the rank of an *aerarius*, being considered unworthy to hold his property. An *aerarius*, on the other hand, who distinguished himself, and acquired landed property, was honoured by being registered among the plebeians; and a plebeian who distinguished himself was entered in the centuries of the plebeian equites. But the censors certainly could not raise strangers to the rank of citizens; for this was a point concerning which there were established laws, or else the assembly of the people conferred the franchise by an extraordinary act. A state whose varying elements present great differences, where the plebes does not form a close body but may complete itself, and contains the aristocratic elements of plebeian equites who are not restricted by the census, must necessarily have some magistrate for the purpose of assigning to every individual his rank; for such an honorary class of men as the equites could not be close or immutable, just because it was an honorary class. We may say that the power of deciding respecting it might have been left to the people; but this would not only have been tedious but also perverse, since it might be presumed that the censors, who were chosen from among the most distinguished men, and had to bear all the responsibility — one of them having even power to oppose the acts of his colleague — would act much more fairly and justly, than if the whole people had been called upon to decide. The proper filling up of vacancies in the senate also required a careful superintendence. It was originally an assembly of the gentes, in which each gens was represented by its senator: but when gentes became extinct, three hundred were taken from the whole body of burghers, one hundred from each tribe, so that as gentes became extinct, one gens might have several representatives, while another might become altogether incapable or unworthy of being represented. At a later time the *lex Ovinia tribunicia*<sup>4</sup>

interfered, in which it was declared, that out of the whole body of the burghers, the worthiest should be taken without any regard to the gentes. If this law belongs to the first period of the censorship, it shews that at that time the senate still consisted of patricians only, and that the worthiest were taken from all the three tribes. The account that even Brutus or Valerius Poplicola introduced plebeians into the senate under the name of *conscripti*, is a mere fable, or must be regarded only as a transitory arrangement. About the time of the secession of the commonalty there cannot have been a single plebeian in the senate, and their existence there cannot be proved till the middle of the fourth century. The senate now became a body of men elected by the people, as the magistrates obtained the privilege of voting in the senate, and the right of being elected into it, when the new list was made up. This right extended even to the quaestors. The throwing open of the quaestorship to both orders in the year A.U. 346, appears to me to have been the first occasion on which the plebeians were admitted into the senate; and when afterwards eight quaestors were appointed every year, the arbitrary power of the censors necessarily ceased. They could, indeed, exclude plebeians, but the senate consisted of only three hundred members; and as the censors at the close of each lustrum always had before them forty men with claims to a seat in the senate, it is obvious that the senate might soon become a plebeian rather than a patrician assembly. The power of the censors, therefore, like that of all the other magistrates, except the tribunes, decreased in the course of time. Formerly only a censor could stop the proceedings of his colleague, but afterwards the tribunes also presumed to interfere with the decrees of the censors. It was at one time believed to be impossible that the censors should have had the powers which were given them by the Ovinian law; or if such were the fact, that their powers were excessive. Originally, however, they actually had great arbitrary power;

<sup>4</sup> Festus, s. v. *praeteriti senatores*. Comp. *Hist. Rome*, vol. i. note 1163.—ED.

but as afterwards the two orders were no longer exclusively opposed to each other, but the government and the people, the latter limited the power of the former, and the censors too lost a part of theirs. The censorial power did not affect the patricians, for their books were closed; and according to the notions of those times about the auspices, no person could become a patrician not even by adoption, though afterwards cases certainly do occur.

The question now is: Were the censors allowed to exercise their power in regard also to the moral conduct of citizens? Could they mark a bad man with a *nota censoria*? I formerly answered these questions in the negative, excepting perhaps cases of decided villany; but in the recently discovered excerpts from Dionysius there is a passage, in which he manifestly speaks of the power of the censors to brand every moral baseness which could not be reached by the law, such as disaffection towards parents, between husband and wife, between parents and children, harshness towards slaves and neighbours. In the time of Dionysius, it is true, the ancient character of the censorship was no longer visible; but this is the very reason why we must suppose, that in describing the censorship he represented it such as it had been in past ages, rather than as it was in his own time, which was known to every one. It is therefore probable that the censorial power actually had

that great extent of which, by our existing materials, we can still fix the limits. The censorship of Gellius and Lentulus in the time of Cicero was an irregularity.<sup>5</sup> Whether some tribes were *minus honestae*, and others *honestiores*, as early as the period we are now speaking about, cannot be determined; but in regard to later times, it is acknowledged that the *tribus urbanae*, and especially the Esquilina, were despised, while the Crustumina stood higher; but it would be quite absurd to suppose the same thing for the earlier times.

The censors were at first elected for a *lustrum*, or a period of five years; and this seems to have been the period intended by the decemviral legislation for all magistrates, according to the whole character of that legislation, the principle of which was to apply cooling remedies against the political fever, elections being always most powerful in stirring up the passions. Whether Mam. Aemilius actually limited the censorial power to eighteen months, and was therefore branded with ignominy by his successors, or whether this is merely a tale which was contained in the books of the censors and intended to trace an existing law back to some individual, cannot be determined; though it is certain that there existed such books of the censors.

<sup>5</sup> Cic. *p. Cluent.* c. 42; Ascon. *in Orat. in Tog. Cand.* p. 84. Orelli.—Ed.

## LECTURE XL.

IN the year A. U. 315, a fearful famine broke out at Rome; many citizens threw themselves into the Tiber to escape from death by starvation. The prices of corn then were in general as fluctuating as in the middle ages, which gave rise to much speculation and hoarding up of grain, especially as in Italy corn can be kept for a long time under ground. The calamity came on unexpectedly; the *praefectura annonae*

was then instituted, which seems to have been a transitory magistracy: L. Minucius Augurinus was the first appointed to the office. He did all he could to keep prices down: he ordered the existing stores to be opened, compelled the proprietors to sell the corn at a fixed price, and made purchases among the neighbouring nations; but his measures were too slow, and the means employed for the purpose were



not sufficient. No effectual help was afforded but by a plebeian eques, Sp. Maelius. He at his own expense caused large quantities of grain to be purchased in Etruria and the country of the Volscians, and distributed the corn among the poor. We cannot indeed conceive that his private property could have been very large, but at such times even a little aid is welcome. A person who conferred such benefits upon his fellow-citizens, became easily suspected in the states of antiquity of acting from impure motives. Maelius accordingly was accused of trying to gain over the people, and by their assistance the *tyrannis*. Minucius is said to have reported to the senate that many plebeians assembled in the house of Maelius, and that arms had been carried into it. No man can presume to say whether this accusation was well founded or not; but at any rate it would have been senseless for a man to form a conspiracy, who was not distinguished for anything but his wealth, and who would have been opposed no less by the tribunes than by the patricians. But however this may be, he was regarded as the head of a party, and in order to crush him, the senate and the curies appointed L. Quinctius Cincinnatus dictator, and he chose Servilius Ahala for his master of the horse. In the night Cincinnatus occupied the Capitol and the other fortified places, and on the next morning he set up his curule throne in the forum, and sent Ahala to summon Maelius before his tribunal. Maelius foresaw his fate, as no tribune could protect him against the dictator; he accordingly refused to appear, and concealed himself among the crowd of plebeians; but Servilius Ahala seized and slew him on the spot. This act is much admired by the ancients; but its merit is very doubtful, as it may have been a mere murder. The *præfectus annonæ*, according to a very probable account, is stated to have renounced the *patres*, and to have gone over to the *plebes*, and to have been appointed the eleventh tribune of the people. In a few weeks, it is said, he succeeded in bringing down the prices:

this shows that the distress had been occasioned by artificial means rather than by actual scarcity. The corn contained in the granaries of Sp. Maelius was taken by the senate and distributed among the people. Moreover, according to Cicero, Ahala was charged with murder before the plebes, and went into exile: whether he was afterwards recalled, we do not know. This also suggests a bad case. The house of Maelius was pulled down. The *Aequimaelium* or place where it had stood, was below the Capitol, and is now quite buried under rubbish which forms a hill at the foot of the Capitol: this point is of great importance in Roman topography.<sup>1</sup>

When the Valerian laws, as we have before seen, so far limited the ancient right of the consuls to force the people to obedience, that when they pronounced a person deserving of corporal punishment, he could appeal to the commonalty, a certain sphere of inflicting punishment not subject to appeal was necessarily left to the consuls, for otherwise their authority would have been entirely destroyed. This right of punishment consisted in the infliction of fines, which regulation also is ascribed to Valerius. But this is improbable, for the law of the consuls Tarpeius and Aternius, which was passed by the centuries, and by which the *multa* was fixed in heads of cattle, as is expressly stated by Cicero (*De Re Publica*), is framed in terms which are too precise. This could not have been the case, if the Valerian law had already determined the limitation, unless indeed the rulers had afterwards again been guilty of most arbitrary proceedings. I may remark in general that all that is said about the Valerii is of a doubtful character, as Valerius Antias looked upon himself as belonging to the Valerian gens, and

<sup>1</sup> The story about Maelius very much resembles one of a Pasha of Aleppo. During a great scarcity, he convened all the most distinguished persons, ordering every one to state the amount of corn he possessed. He then rode to their store-houses, and on measuring the corn found double the quantity that had been returned, and he accordingly took away the surplus, and the dearth ceased.—N.

invented a great many things to honour it; the Valerii themselves too were vain of popular favour. That law fixed two sheep and thirty heifers as the highest *multa*, concerning which Gellius makes a thoughtless remark, when he says that sheep were then so rare that two sheep were equal in value to thirty heifers, though immediately afterwards he himself mentions the value; that of a sheep as ten, and that of an ox as one hundred *asses*. The fact is simply, that the consuls gradually increased their fine so as to leave the return to obedience open: he who did not appear on the first summons, had to give one sheep; if he refused on the second, two sheep; then a heifer, etc. There is yet another circumstance, which we know from Cicero, and which shows how little confidence can be placed in other accounts: it was not till twenty-five years later that the value of these things was fixed in money, and at a very moderate rate. Cicero justly regards this as an advance in the liberty of individuals.

The number of quaestors or paymasters who had formerly been elected by the king or the curies, and afterwards according to the law of Poplicola by the centuries, was increased from two to four, and they were to be partly patricians and partly plebeians. At first the patricians prevented the execution of this law, but afterwards the plebeians successfully established their claim. This progress was not merely a matter of honour, but a reality, inasmuch as it concerned the immediate interests of the plebeians, for they now had a share in the administration of the public purse, which accordingly was no longer a *publicum*, but an *aerarium*. By this means, as I have already observed, the senate also was opened to the plebeians, and nothing but the censorial power could remove them from it.

A further progress towards liberty was the fact, that, about twenty years after the decemviral legislation, the right to determine upon peace and war was transferred from the curies to the centuries. That the curies origi-

nally possessed this right, is established by the testimony of Dionysius, but as the plebeians alone were destined to serve in the ranks and the patricians deprived them of the booty, it was natural that the tribunes should demand for their order the right to determine, as to whether they wanted war or not, and the tribunician opposition to declarations of war was nothing but a reservation of the rights of the plebes. When the centuries had passed a resolution to declare war, the curies had of course to give their assent; and this they unquestionably always did, as the proposal proceeded from the senate, and as it is inconceivable that the senate and curies should not have been of one mind.

The existence of plebeian senators is clear beyond a doubt; it is expressly attested that P. Licinius Calvus sat in the senate, and hence when an *interrex* was to be appointed, it was not the *decem primi* alone that met—for through the admission of the plebeians they had lost their meaning—but all the patricians of the whole senate. This act was termed *patricii coeunt ad interregem prodendum*, and may have been established even by the laws of the twelve tables. We can easily understand that the Romans might know the laws of the twelve tables by heart, and yet not see that there was in them something different from what existed afterwards.

We have now seen how, from the time of the decemviral legislation down to the taking of the city by the Gauls, internal freedom was in a steady process of development, corresponding to the outward increase of dominion, which shews the necessary connection between the two.

The history of the Italian nations is known to us almost exclusively through the Romans; yet if we possessed it, it would supply us with the only means of understanding the external history of Rome; for the latter is frequently not only defective, but deceitfully corrupted. The decline of the state after the expulsion of the kings may have been the consequence partly of internal commotions, and

partly of the feuds with the Latins; but afterwards the influence of the Etruscans from the north gave a fresh blow to Rome, and at the same time the extension of the Sabines and their colonies produced a great effect. The Romans called the latter Sabellians, for *Sabellus* is the ordinary adjective along with *Sabinus*, like *Hispanus* and *Hispellus*, *Graecus* and *Graeculus*, *Poenus* and *Poenulus*, *Romus* and *Romulus*; it was not till later times that the termination *lus* assumed a diminutive meaning. *Sabellus* is perfectly equivalent to *Sabinus*, except that, according to common usage, *Sabelli* denotes the whole nation, and *Sabini* only the inhabitants of the small district which bears that name. These extensions of the Etruscans and Sabines, then, were the principal cause of the decline of Rome, and without them the wars of Porsena would not have taken place. If the Etruscans had spread in another direction, and if the Sabellians had not been themselves pressed upon and obliged to advance, the Ausonian tribes, especially the Aequians, would not have been driven to make conquests.

The period of Etruria's greatness falls in the middle of the third century after the building of the city, according to the testimony of Cato that the Etruscan colony of Capua or Vultur-num was founded about the year A.U. 260, that is, about the time when the Romans were so hard pressed by the Veientes. At that time the Etruscans, or, as the Greeks call them, the Tyrrhenians, were the most formidable conquerors; but a crisis took place in the destruction of their navy by the Cumaeans, who were assisted by Hiero, about the end of the third century. We can speak of this change only in general terms, for unfortunately all the detail is lost. A mighty part of the history of man is here buried in darkness. About the same time their power was broken on the Tiber also.

The Sabines often appear as enemies of the Romans in the opposite direction, during the latter half of the third

century; the earlier accounts of the victories of Valerius over them are quite apocryphal. We will not attempt to decide whether they were dangerous to the Romans, but there can be no doubt that wars were fought with the Sabines as with the other tribes in the neighbourhood; all the detail, however, consists of poetical fictions. But towards the end of the third century, history becomes clearer and clearer, and we can perceive traces of the ancient annals. The last Sabine war is that which was carried on by Valerius and Horatius in the first year of the restoration of the consulship; it is related too minutely to deserve credit in all its parts, but it is certain, that, during the subsequent period of nearly one hundred and fifty years down to the time of Curius, the Sabines did not carry on any war against the Romans. This must have had its peculiar reason: and I perceive this reason in a treaty of which not a trace is left, but by which isopolity was established between the two nations: the existence of that isopolity is attested by Servius in his commentary on Virgil.

About the year A.U. 310, the formation of the Campanian people is mentioned, for it is said that at Vultur-num or Capua the Etruscans admitted Samnites as *epoeci*, and shared their territory with them. This is a proof of the progress of the Sabines in those parts, for the Samnites were a Sabine people. The Aequians and Volscians discontinued their attacks upon Rome, and the Sabine wars ended: hence we here recognise the time when the migration of the Sabines to the south ceased, and they left off pressing the Ausonian mountaineers. The Etruscans stopped all at once, as is naturally the case with a people governed by an oligarchy: when such a people comes to a state of rest, it never puts itself in motion again, or acquires fresh life: at least history furnishes no example of the kind. In this manner we may connect the events which the Romans have recorded in a very confused manner.

During the period from A.U. 306 to

323, there was almost a total cessation from wars; the account of the insurrection at Ardea, in which the Romans were called upon for assistance, has something so strange about it, that we can place no reliance on it: we have here a complete repetition of the story of Cincinnatus surrounding the hostile army. But in the year 323 the war broke out afresh and seriously. We do not know whether the Antiatans took part in it; but there is no doubt that Ecetra did. They then met the Aequians on mount Algidus. The Roman armies fought against them between Velitrae, which was Volscian, Tusculum, and the Alban mount: but a battle was lost, whereupon A. Postumius Tubertus was appointed dictator. This war is perfectly historical, and accurately described; but whether it is true that A. Postumius gave weight to his imperium in the minds of those who fought under him, by inflexible severity towards his own son, may remain undecided; the prevailing opinion is, that Manlius followed his example, but from the expression *imperium Manliana* no inference can be drawn; Livy's attempt to prove the contrary is, at all events, futile. Postumius led the whole strength of the republic and her allies against the enemy; he gave one army to the consul, and took the other for himself; the former was stationed on the road to Lanuvium, the latter on that to Tusculum, near the point where these two roads crossed each other. The Volscians and Aequians were stationed in separate camps, one of which was opposed by the consul, and the other by the dictator, but the two armies were near each other. The enemy attacked the consul's camp in the night; but the dictator being prepared, sent a detachment to take possession of the Volscian camp, which was almost entirely abandoned, and he himself led the greater part of his army to the assistance of the consul, and attacked the enemy in the rear. The latter were completely cut to pieces, with the exception of a small band of men, who, under the command of the brave Vettius Mes-

sius, fought their way through the Romans.

This battle is one of those which exert an influence upon the history of the world: it broke the power of the Volscians of Ecetra and of the Aequians; the massacre must have been immense. The Aequians forthwith sued for peace, and obtained it for eight years; from this moment they ceased to be formidable. After this time the Romans were constantly extending their dominion, and recovered the places which had been taken from them in former wars by the Volscians and Aequians. Among them we have express mention of Lavici,<sup>2</sup> formerly one of the great Latin towns, Bola or Bola, Velitrae, Circeii, Anxur, Ferentinum, which had formerly belonged to the Hernicans, and must now have been restored to them, since it re-appears among their towns. In this manner the Romans advanced as far as the boundaries of Latium in the narrower sense, that is just as far as they had penetrated under the kings. In the same way Setia, Norba, Cora and Signia must have been recovered, and as the Romans and Latins now no longer stood on a footing of equality, they must have come under the sole dominion of Rome. In the country of the Aequians, the Romans advanced to lake Fucinus. The subjugation of the Volscians rendered it possible for them to carry on the fearful war against Veii. In consequence of these conquests, many poor people were provided for, by means of Roman colonies established at Lavici and Velitrae; and the colony at Circeii was probably made a Latin one.

After a long interval, the agrarian law was seriously brought forward again in the year A.U. 345; it had been previously mentioned only once, but slightly. The cause of this silence in the preceding years is not quite clear; some assignments of colonies

<sup>2</sup> *Labici*, which we commonly read in Livy, is a mistake of the fourth and fifth centuries for *Lavici*. The opposite mistake, *Vola* instead of *Bola*, occurs in the early editions.—N.



took place, but always in conjunction with the Latins and Hernicans, and without any beneficial consequences for those who did not wish to give up their Roman country and franchise. Times of contentment or of discontent in history correspond not so much to the political development of rights, as to prosperity in general: in happy circumstances man likes to enjoy life without thinking much of his political condition. Such a period occurred in Germany previously to the thirty years' war, when everything rose in value, and the internal condition of the country was tranquil: the same was the case in France under Henry IV. Such also, on the whole, was the condition of Rome at the time under consideration, and this was perhaps the principal reason why no violent internal commotions occurred for so many years. If, however, during such a period new powers have been developed, then new claims also arise, which are put forth at once and with vehemence: this was now the case with the agrarian law. Till now, the patricians had with great cunning succeeded in excluding the plebeians from the honours which belonged to them; consuls were often elected instead of military tribunes, and the number of the latter was frequently not complete; but now the plebeians began to insist upon certain claims. The humiliation of Rome abroad occasioned by the wars of the Etruscans and Volscians had ceased, new conquests quickly raised the city to a great height, and under these circumstances the tribunes exerted their powers for the advantage of the members of their own order. The conquest of Lavici afforded the first opportunity for such measures, and its consequences must have been far greater than those described by Livy: a colony was demanded for that place, but the Roman senate refused it. The Cassian law was now never mentioned, but the tribunes brought a new *lex tribunicia agraria* before the tribes: it was demanded that the public land should be divided, and that the portion of it possessed by the patricians should again become subject to a tax; the latter had

originally been a regulation in all agrarian laws, but the patricians had contrived to neglect this obligation with impunity. These demands of the tribunes were not complied with indeed, but they led to the foundation of several colonies of Roman citizens, that is, purely Roman colonies, whence they are called *coloniae Romanae*. After the taking of Bolae, an unfortunate military tribune, M. Postumius, had sold all the booty for the benefit of the publicum (*in publicum redigere*, for the publicum was the separate treasury of the curies). This so infuriated the soldiers, that they rose against the quaestor and slew him. The military tribune, who tried the offenders for this crime, drove them to despair; in consequence of which they rose against him also, and imbrued their hands in his blood, the only instance of the kind that occurred before the time of Sulla. The senate treated the matter leniently, for the guilt was too evident. The consequences of this insurrection must have been very great, though Livy says nothing about them, for from this time forward we never find less than six military tribunes, and their election seems to have been transferred at that time from the centuries to the tribes, for otherwise it would be very careless of Livy to speak of a *tribus praerogativa*. The curies, however, still continued to confer the imperium upon those who were elected.

Rome now directed her arms against Veii, which was situated at the distance of about twelve miles and measured nearly five miles in circumference; its territory must have extended to the very foot of the Janiculum. This city was a thorn in the side of Rome, which could not become great until this rival was conquered. Fidenae, which is called an Etruscan city, but was really Tyrrhenian, is described from the earliest times, and even in the reign of Romulus, as involved in war with Rome; it was situated on the Tiber five miles above Rome, and had at an early period been occupied by Roman colonists, who had been repeatedly expelled but were always restored. It was either in A.U.

320 or 329,<sup>3</sup> when the Fidenatans again rebelled against the Roman colonists and expelled them. We must conceive these colonists as a settled garrison, who had their own farms. Three Roman ambassadors appeared at Fidenae to demand reparation and the restoration of the colonists. This demand appeared to the Fidenatans so outrageous, that they slew the Roman ambassadors and threw themselves into the arms of Lars Tolumnius, king of Veii; for all the Etruscan towns were governed by kings elected for life. Tolumnius marched across the Tiber to their assistance; and as the Romans, after the conquest of the Aequians and Volscians, had now become formidable neighbours, the Capenatans and Faliscans, two Oscan tribes which had maintained themselves in those districts against the Tyrrhenians, likewise came to the assistance of the Fidenatans. This army posted itself five miles from Rome on the other side of the Anio and created great terror in the city. A dictator was appointed, who chose the military tribune A. Cornelius Cossus for his master of the horse. The Romans fought a successful battle, and Cornelius Cossus with his own hands slew the Veientine king, who was charged, though probably unjustly, with having murdered the Roman ambassadors.<sup>4</sup> After this victory, Fidenae was taken and razed to the ground, and its terri-

tory became *ager publicus*. With the Veientes a truce was concluded; and it must have been welcome to the Romans to have peace in that quarter, until they should have completely broken the power of the Aequians and Volscians.

When the truce was drawing to its close, the Veientes sent ambassadors to all the other Etruscan towns to solicit their assistance against the Romans; but it was refused, because another and far more dangerous enemy had appeared in the Apennines, and after the fashion of a Turkish invading army destroyed everything that came in their way: these were the Gauls. The Etruscans advised the Veientes by all means to maintain peace with the Romans; but the demands of the latter may have been very high; they may have claimed the sovereignty of Veii, so that the Veientes were compelled to decide upon war. If we compare the account of the first Veientine war which occurred seventy years before, we find the Veientes at that time supported by all the powers of Etruria, whereas now they were confined to the protection of the Capenatans<sup>5</sup> and Faliscans; it was only in one campaign that the Tarquinians came to their assistance; the Caerites were on friendly terms with the Romans, and therefore remained neutral: the Etruscans indeed were masters of the place, but the population may have been still essentially Tyrrhenian. In short, the war was limited to the Veientes and their immediate neighbours. Rome was obliged to make the greatest efforts, and was supported by the Latins and Hernicans.

<sup>3</sup> Two wars are here related, but they are, according to all appearance, transposed; the minute account of one at least is out of place, and probably belongs to the year 329, although hostilities may have occurred in 320 also; this at all events is the chronology of Diodorus, to which we must adhere.—N.

<sup>4</sup> The Emperor Augustus directed Livy's attention to the fact, that Cossus, on the ground of having gained the *spolia opima* on that occasion, set himself up as consul, for that on his armour he called himself consul. This is a later addition in Livy, and stands quite apart from his narrative, for otherwise he ought to have placed the event seven years later.—N.

<sup>5</sup> The Etruscan town of Capena was probably as near to Rome as Veii, though its site cannot be determined, because it disappears from history at an early time: but it was certainly situate between Veii, Falerii, and the Tiber.—N.

## LECTURE XLI.

THE ridicule which Florus casts upon the *bella suburbana*: *De Verulis et Bovillis pudet dicere sed triumphavimus*, is that of a rhetorician, and we cannot quarrel with him for finding those occurrences uninteresting. Wars carried on in a limited territory cannot indeed have the same interest as, for example, the Hannibalian war, but still we may see in them the development of the strength of Rome. We will not despise this Veientine war, yet we shall not describe it as minutely as Livy does, but confine our account to a few brief outlines. The feelings and sentiments with which the Romans undertook it deserve our admiration, for, considering their circumstances, the difficulties were as great as those which they had to encounter at the beginning of the first Punic war; it was only by continued perseverance that they could hope for a favourable issue. A city situated at so short a distance, and so well fortified as Veii, could be conquered only by a blockade or siege; for whenever the Veientes felt that they were too weak in the open field, they retreated within their walls, against which the Romans were powerless. It was necessary, therefore, either to blockade the town so as to compel it to surrender by hunger, and if necessary by fortifications and undermining, or the Romans had to try to reach it by inflicting calamities upon it, that is, they might fortify a place in the neighbourhood (*ἐπιτείχισις*), as Decelea was fortified in the neighbourhood of Athens, and thence destroy everything far and wide, preventing all cultivation of the fields, so that the hostile city would be thrown into a state of distress, which it must endeavour to avoid in every possible way. But in order to do this, the Romans would have been obliged to change their mode of warfare, and moreover they had to fear the neighbouring towns of Capena and Falerii. Hitherto they had only made short

campaigns during a few summer months, which often lasted only from ten to twelve, nay, sometimes not longer than six days, especially during the time of the republic, for under the kings it must have been different. There were from the earliest times certain months destined for war, during which neighbouring tribes ravaged each other's territories: such was the case among the Greeks, and such is still the practice of the Asiatics. Russia and Persia fight every year for a few months on the frontiers of Georgia; and in the laws of Charlemagne the time is fixed during which nations are bound to serve in the field. In the intervals, intercourse between the countries was more or less free, and at the times of festivals especially it was quite free, as, e.g. during the common festivals of the Etruscans at the temple of Voltumna, and of the Ausonian nations at the temple of Feronia. The soldiers could be kept in the field for a limited time only, and when that was over they dispersed.

The means of Rome for keeping up a great army had been much reduced since the Etruscan and Volscian wars. In former times the armies had been paid out of the tithes which were paid by the possessor of the *ager publicus*, but since the *ager publicus* had been lost, every one went into the field as an *οἰκόςτροφος*, that is, he brought his provisions with him from home, and whatever more was required he obtained by foraging; if this could not be done, the army was obliged to return home. Hence we hear so little of sieges. But now when the war was to be conducted seriously, and as arms were not to be laid down till Veii should be subdued, it became necessary to pay the soldiers. This determination was perhaps connected with the proposal to recommence levying the tithes upon the *ager publicus*, and to pay the soldiers out of their produce. But what

seems to confirm the supposition that a stipendium was generally paid even from the earliest times, is the statement that in the census of Servius Tullius, the *equites* received 2000 *asses*: if so, why should not the *pedites* also have received something? I conjecture that they were paid 100 *asses*, whether the war lasted a longer or a shorter period: and out of this sum the soldier had to provide himself with arms and provisions. So long as this was the case, wars of conquest were impossible, for in them the soldiers must be entirely maintained by the state, and this latter is the arrangement which was made when, according to tradition, the Roman soldiers first received a stipendium. It would be wrong to suppose that before that time they had no pay at all; but the difference between receiving a small sum once for all, or a small daily pay, is considerable. We may take it for granted, that the *aerarii*, being exempt from military service, were at all times obliged to pay a war-tax for the *pedites*, as the *orbi orbaeque* did for the *equites*; for it is impossible that the double burden of serving with his life and his property should have fallen on the plebeians.

The pay of the Romans then, from early times, was 100 *asses* per month for every man, and this pay was proportioned to their wants. Such pay was invariably given at Athens after the time of Pericles, but probably not earlier. The pay of an Athenian hoplite was enormous, but at Rome, where the allies did not pay any contributions, it was necessarily smaller. One hundred *asses* continued in later times to be the monthly pay. When the *asses* were made too light, they were calculated in silver in the proportion of one to ten. Every three days the soldier received a denarius (the value of a drachma), that is, daily two oboli. The stipendium was regarded as a unit, but was afterwards multiplied (*multiplex stipendium*; Domitian added a *quartum stipendium*). This, however, is at all times to be understood only of one month. The excellent Radbod Hermann Schele errs in

supposing, on the authority of writers who are worth nothing, that the stipendia were annual, which is in itself impossible, and would have answered no purpose. In this supposition, he was for once deserted by his practical good sense. The pay was given only for the time during which the soldiers were actually in the field. If the war lasted a whole year, pay was of course given for a year. Livy, in making Appius Claudius say, *annua aera habes, annum operam ede*, merely makes him express his own erroneous opinion.

This innovation was of extraordinary importance to the republic; for without a national army, Rome would never have become great. Now if it had been possible to give the pay without imposing a tax, it would have been fortunate indeed; but if the patricians did not pay the tithes on the *ager publicus*, or if the revenue of the state was not sufficient, the plebeians must have felt the war very oppressive, for it then became necessary to obtain the pay by a property-tax, and it might so happen that the service in the army lasted a very long time. This injustice, however, was necessary. The plebeians had formerly not been taxed, probably because they had not been able to pay; but during the last twenty years, Rome had been ever increasing in prosperity, so that it was now possible to tax the plebeians, although it gave rise to new distress, which led again to the old oppression exercised by creditors on debtors. An army, however, might now be kept in the field all the year round. At the same time a change was made in the armour. Livy says, *postquam stipendiarii facti sunt, scuta pro clupeis habebant*; seeming to suppose that this change was occasioned by the introduction of pay for the soldiers. The first step to it may certainly have been taken even previously to the Gallic wars.

The Romans began the last Veientine war with the determination to conquer Veii. The republic, which now again extended as far as Anxur, began to feel her own strength, since she had gained the victory over the Aequians,



and was at least on friendly terms with the Sabines. How far the Latins took part in this war is uncertain, but it is likely that their co-operation did not extend beyond the Tiber. It is not an improbable statement, that soon after Anxur, Circeii also was recovered by the Romans; so that the only place which still maintained its independence as a Volscian state was Priverinum, a town at the foot of the hills. The weakness of the Ausonian nations was the result of the extension of the Samnites, and must have inclined those nations to keep peace with Rome. The Romans thus had time to make a permanent conquest of countries which probably they had no longer to share with the Latins.

The preceding war with the Veientes had been succeeded by a truce of twenty years. The Etruscans, like many other nations of antiquity, were accustomed to conclude their wars by a mere truce for a certain number of years, and these years consisted of ten months. A proof of the latter assertion is the fact, that in nearly all instances, hostilities break out sooner than could have been expected if the years had been years of twelve months, but never earlier than would have been the case if the years were reckoned equal to ten months. The truce between Rome and Veii had been concluded in A.U. 330, and is said to have ended (*induciae exierunt*) in A.U. 347. The use of this year of ten months was very common among the Romans: it was the term established for mourning and for all money transactions. In the sale of 'corn, ten months' credit was a matter of course. Loans for a number of years were unknown, and all business was done only for short periods, being founded on personal credit like debts arising from bills of exchange. The Veientes, contrary to their former practice, endeavoured to avoid the war by every possible means. There can be no doubt, that probably in consequence of its situation, Veii had formerly been the head of many Etruscan towns; for in previous wars its power appears very great. But the invasion of the Gauls

caused the towns south of the Apennines, such as Arretium, Faesulae, and others, to be called upon to assist their countrymen beyond the mountains. This assistance was useless; the loss was great, and Etruria wasted her life-blood in the plains of Lombardy. Tarquinii and Capena alone supported Veii; the Aequi Falisci did the same, though not as an Etruscan people, but because they looked upon Veii as their bulwark.

The Romans at first believed they could bring the war to a speedy termination. They built strong forts in the Veientine territory, just as Agis did in Attica during the latter period of the Peloponnesian war; and issuing from those forts, they prevented the Veientes from cultivating their fields, or burnt the ripe crops, so that distress and famine soon shewed themselves in the city. This system of warfare is designated on this occasion by the word *obsessio*. The Romans only once undertook to carry on a siege according to the simple manner of the time. Between two forts, a line parallel to the wall of the city was formed, consisting of accumulated rubbish, sacks of sand and faggots, and on both sides of it wooden fences (*plutei*) were erected to give consistency to the rampart. It was pushed nearer and nearer to the city, an operation which presented the main difficulty. These works were raised to about the same height as the wall, to which bridges and scaling ladders were applied (*aggerem muro injungebant*), and then the engines were brought up: at first battering-rams, but in later times catapulta and ballistae, for these engines, which were not yet known at Rome, were invented at Syracuse for Dionysius. The besieged endeavoured to destroy the works of the besiegers by undermining them. But the neighbouring tribes defeated the Romans, and destroyed their works; and from that moment several years passed away without the Romans again pitching their camp at Veii.

The war of Veii presented to the ancients a parallel to the Trojan war; the siege was believed to have lasted

ten years; and the taking of the city was as marvellous as that of Troy by the wooden horse. But the account of the whole war is not fictitious: the ancient songs took up isolated historical points, which they worked out and embellished, and this constitutes the difference between them and the lays of the earliest history. An annalistic narrative which is by no means incredible, runs parallel to these lays. The defeat of the tribunes Virginius and Sergius is historical, but the detail about the Alban lake and the like belong to poetical tradition, and must be taken as the ancients give them: whether they were composed in prose or in verse is a matter of no consequence. The story runs as follows:—

After Rome had already worn herself out in the struggle with Veii for upwards of seven years, and in the midst of the most profound peace with the Aequians and Volscians, a prodigy appeared. The Alban lake, the waters of which had always been below the edge of the ancient crater, began to rise, and threatened to overflow the country: this is the general substance of the ancient story, for in regard to the detail the accounts contradict one another; according to Dionysius and Dion Cassius (in Zonaras), a stream of water flowed from the lake straight towards the sea, while according to others, the lake only threatened to overflow its borders. The Romans knew not what to do; they had fixed their posts near Veii; whenever there was no fighting, they observed a kind of truce: on one of these occasions, an Etruscan aruspex ridiculed the Romans for taking so much trouble to make themselves masters of Veii: so long as they were not masters of the Alban lake, said he, they could not take Veii. One Roman took notice of this remark, and under the pretext of a *procuratio rei domesticæ* invited the aruspex to the camp. When he came, the Romans arrested him, and compelled him to say what was to be done. He answered that they must let off the waters of the Alban lake, so that they might be conducted

through one of the neighbouring rivers to the sea. The same answer was given by the god of Delphi. The Romans now undertook the work and finished it. When it was nearly completed, the Veientes sent an embassy to entreat the Romans to receive their city in *deditionem*; but the Romans would not listen to the proposal, for they knew that the talisman was broken. The Veientes did not contradict this, but said that it was also written in their books that if Veii should be destroyed, Rome would likewise soon be taken by barbarians, and that this part of the prophecy had been concealed from them by the aruspex. The Romans determined to run the risk, and appointed Camillus dictator; he called upon all the people to take a part in securing the booty, and undertook to storm the city: all duties towards the gods were discharged, and human prudence now did its work. Camillus formed a subterraneous passage which led to a spot under the arx of Veii, and from that point a passage was made to the temple of Juno; for fate had determined that whoever should offer up the sacrifice in the arx of Veii, should win the victory. The Romans penetrated into the temple, slew the Etruscan king, and offered up the sacrifice. At this moment the walls of Veii were scaled by the Romans on all sides.

This is very pretty poetry, and if we examine the historical nonsense of this account, we cannot hesitate for a moment to believe in the existence of a poem. The arx of Veii is still discernible:<sup>1</sup> it is situated near the *aqua rossa*, almost entirely surrounded by water, and is of a moderate height: the rock consists of tufo. The Romans would have been obliged to make their tunnel under the river, and to construct it so cunningly that no one should perceive it, and that at last they would only just have had to lift up the last stone in the temple and to

<sup>1</sup> It is a mere accident that I never was at Veii, but I have an accurate knowledge of the locality from maps and drawings.—N.

rise above ground as through a trap-door.

The fact was probably this. There were two kinds of sieges: the first was the one described above, which consisted in throwing up a mound of earth against the wall: according to the second method, the walls were undermined with immense labour, so that they rested only on a scaffolding of beams, which was then set on fire, and thus the downfall of the walls was caused. Battering rams probably do not occur previously to the Peloponnesian war, and among the Romans not till a still later time. If Veii was actually taken by a cuniculus, it must be understood to have been by undermining the walls.

The letting off of the water of the Alban lake must certainly belong to this period; for there is no reason for supposing that a work of an earlier date was inserted here. The subterraneous passages through which the water was carried off had probably become obstructed, and Latium was in danger of being inundated; it is possible that use was made of the credulity of the people to induce them to undertake this gigantic work, but I believe that when the senate declared the work to be necessary, there was no want of obedience. It must be supposed that the Alban lake, like the Fucinus and all other lakes formed in the craters of volcanoes, discharged its waters by subterraneous passages, which may have been filled up in consequence of earthquakes. Livy, at a somewhat later time, speaks of a severe winter during which the Tiber was covered with ice, and says that epidemics were very prevalent in the following summer: the newly discovered excerpts from Dionysius place the building of the tunnel in the year after that severe winter. Livy relates, that during that winter the snow was seven feet deep and that the trees were destroyed by frost; a statement closely resembling the records of the annals, and quite credible, although the ancient annals perished in the conflagration, for such a winter must have been remembered by every one. The winter of A.U. 483

was equally severe, for snow covered the forum for forty days. The early history of Rome would indicate that the mean temperature of the air was then much lower than it is now.<sup>2</sup> In the history of Rome and Greece, such unusual phenomena in the weather are nearly always followed by fearful earthquakes: an eruption of Aetna occurred about that time (A.U. 354). Vesuvius was then at rest, but the earthquakes were fearful, and it is possible that by one of them the outlets of the Alban lake were obstructed. In general all lakes which have no outlet, have remarkable periods in the increase and decrease of their waters. Lake Copais had even artificial tunnels to let off the water into the sea of Euboea: these were afterwards obstructed, and in the time of the Macedonians all Boeotia was not able to raise the money necessary for cleansing them; in consequence of which the waters rose and inundated the country far and wide. After that time probably nothing was done to remedy the evil; it is very likely, as Aristotle observes, that the quantity of water in Greece was decreasing; lake Copais is at present a mere swamp and in reality no longer deserves the name of lake, but resembles the bogs in our moors.

What the Romans did to prevent the overflow of the water is extraordinary: the tunnel still exists uninjured of the length of 2,700 paces or nearly three Roman miles,<sup>3</sup> and the water of the lake is reduced to a proper height. The advantages of letting off the water

<sup>2</sup> Compare, on the other hand, *Hist. of Rome*, vol. iii. n. 1034. I was unwilling to suppress the above passage occurring in the Lectures of 1826-27. According to Arago, the winter in Tuscany is less cold and the summer less hot than formerly. See Berghaus, *Länder und Völker*, i. p. 248.—ED.

<sup>3</sup> This statement belongs to the Lectures of 1828-9, and is the same in all the manuscripts, but in 1826-7, Niebuhr said that the length of the tunnel had not been measured, but that it was estimated at 7,500 feet, or two and a half Roman miles. In his *Hist. of Rome*, ii. p. 508, the length is said to be 6000 feet. Abeken (*Mittelitalien*, p. 179) says: "The tunnel runs into the south-western side of the lake, and is nearly 4000 feet long." The measurement given in the text seems therefore to be based upon an error.—ED.

are great even now, although the country around is uncultivated and covered with shrubs and bushes, since it supplies water for domestic purposes to the Campagna of Rome; and although this water is not very good, still it is better than that in the wells of the Campagna. The tunnel resembles the greatest Etruscan works: the entrance from the lake into it is like the vault of a temple executed in the grandest style, whence we see that the Romans now again built in the same manner as under the kings: this is characteristic of the age of Camillus. The tunnel is cut for the most part through a hard mass of lava, only a small portion running through peperino which is more easily worked, and forms a passage nine palms high and five palms broad. By this work, which has never yet required reparation, the lake, it seems, is permanently confined to a limited height: it was previously about 100 feet higher than the level to which it was then reduced. It is an interesting point to know how such a work was executed. Considering the imperfection of instruments in those times when the compass was yet unknown, it must have been extremely difficult to find the correct point at a distance of more than two miles; and even now it would be attended with great difficulties, for the architect must know to a line how high he may build in order to find the inclined plane for the watercourse. It is well known in the country and is also recorded in some books, that on the whole line from the lake to the point in the plain whither the water was to be conducted, there exist to this day open wells into which people descend to cleanse the tunnel; but

these openings were not made merely to enable the mud to be removed—the lake is not muddy—but also to calculate the depth and let in air. By means of these wells, the Romans were enabled accurately to calculate the line as far as the issue. In our days people have so little practice in levelling, that till very recently it was not known that the lake of Nemi lies higher than that of Alba.<sup>4</sup> The construction of these wells rendered it possible to employ a great many men at once, and to complete the work with tolerable speed: from the bottom of each well two parties of workmen might work in opposite directions and so as to meet other parties commencing at the bottom of other wells. In this manner the tunnel was formed till it came close up to the lake, the entrance to which was undoubtedly made by means of a stone-borer of the thickness of a little finger, since the wall of basalt need not have been thicker than two cubits to resist the whole pressure of the lake. The small opening being made, the water ran off very gradually, so that the workmen had time to be pulled up through the wells. When this was done, the wall between the lake and the tunnel was knocked down, and the entrance facing the lake was made in such a manner as to prevent trees and the like from being carried into the tunnel; the arch was then embellished and wrought into a magnificent portico, like the entrance to a temple. This structure eclipses all the works of Egypt: they are wonderful but useless; this is practical and useful.

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<sup>4</sup> It must be remembered that this was said in the year 1828.



## LECTURE XLII.

THAT Veii was taken by storm is certain: the people were destroyed, and the city was methodically plundered. It is related, that the whole Roman population was let loose upon the place for the purpose of plundering it; but this can refer only to the men capable of bearing arms, and was done partly on account of the proximity of Rome, and partly because in the long protracted war all had taken a part in it. The fate of the inhabitants of Veii was the same as that which befell so many people of antiquity: whoever escaped from the sword was led away into servitude. When the city fell into the hands of the Romans, it was empty. We readily believe that it was a more beautiful place than Rome. The latter has an excellent situation, but its picturesqueness is connected with many disadvantages, for the territory round the city is exposed to frequent inundations, and the intercourse within was very difficult for carriages and other conveyances, on account of the many hills and valleys. Veii, on the other hand, with the exception of its arx, was situated in a plain, and probably had beautiful and wide streets: no wonder therefore that the Romans were loth to destroy the handsome city.

Immediately after the conquest, quarrels arose between the government and the plebes, who demanded a distribution of the territory, while the former claimed the whole for themselves alone; but such a thing was no longer possible. Another difficulty was occasioned by the beauty of Veii, for it was thought a pity that it should remain deserted: it may easily be conceived that when it was proposed to distribute the territory, it was at the same time wished that those who were in want of houses should have habitations assigned to them at Veii. A tribune of the people proposed that if the patricians thought the plebeians too low to live together with them, the plebes

with their magistrates should emigrate to Veii: it would be folly to believe that the proposal was such as Livy describes it, viz.: that half of the senate and the people should remove to Veii. But even the other proposal calls forth doubts, for the scheme would have been highly unreasonable, and the objections which Livy raises against such a tearing up of the republic are very important, and after all, a complete separation would have been impossible. It would have been dangerous even to discuss the sending of a great colony with a local government to Veii. But an arrangement was made: the patricians secured the greater part of the territory for their occupation, but the plebes also obtained a portion, and not only each for himself the usual seven *jugera forensia*, but also something in consideration of his children. According to Diodorus, each family received twenty-eight *jugera*; but if this is true, the territory of Veii must have been enormous. The aerarii had no share in these assignments, but those among them who were clients of patricians received allotments on the farms of their patrons.

The sequel of these events shows, that at that time the territory of Veii and Capena, and of the Etruscan cities in general, comprised large tracts of country with subject towns, which during the war threw themselves into the arms of the Romans: those who did so were undoubtedly the ancient inhabitants of those places, who saw in the Romans their deliverers.

The conquest of Veii was one of the most decisive events in history, for it delivered Rome from a counterpoise which checked her development. As all the east of Latium was at peace, the Romans irresistibly penetrated into Etruria, the Etruscans being obliged in the mean time to exert all their powers in the Apennines to keep off the Gauls. But the war was also

carried on against the Faliscans: to judge from their name they were Volscians, whence Virgil calls them *Aequi Falisci*. According to Strabo, they had a peculiar language, and were a nation different from the Etruscans. The war of Camillus against them is known to us all from our childhood; the tale, that by his generosity he influenced them so much, that they accepted the treaty of friendship with the Romans, has great internal improbability: the story of the schoolmaster's treachery I may leave uncriticised. The war was moreover directed against the Vulsinians, in whose territory the Romans made conquests and with whom they concluded an advantageous peace. The Romans had then penetrated even beyond the Ciminian forest, which afterwards in the great war of Fabius presents so frightful an appearance. The separation of countries by this forest does not seem to have been very strongly marked at that time, but afterwards it appears to have been intentionally allowed to grow wild, that it might form a boundary, just as a forest divides the Austrian from the Turkish part of Dalmatia. Capena is not afterwards mentioned in history, and must therefore have been destroyed either by the Romans after the taking of Veii or by the Gauls: it is an historical fact, that subsequently to the Gallic calamity the surviving Capenatans became Roman citizens.

After these victories, Camillus shone as the greatest general of his age; but he was nevertheless accused of having appropriated to himself sundry valuable things from the Veientine booty, especially the brass gates of the temple of Juno, and of having declared too late his obligation to dedicate the tenth part of the booty to the Pythian Apollo. It would be an unprofitable labour to speculate on the guilt or innocence of Camillus; but we must not forget that every Roman general was entitled to set apart a portion of the booty for himself.<sup>1</sup> We cannot decide

whether Camillus took more than he was legally allowed or not; what one person does on a small scale another does on a large. We must not believe that Camillus committed the crime in secret, for he undoubtedly ordered the gates to be fitted to his own house; if he had wished to make use of the metal they would have been melted down long before. The real cause of the hatred against Camillus was of a political kind, for down to the end of his life he stood at the head of the most stubborn patrician party; the plebeians were ever becoming stronger and more powerful, and the ease of prosperity had produced a certain desire for excitement: Camillus was accused because a considerable party was against him, and he was sentenced to pay a sum of 15,000, or according to others 100,000, or even 500,000 *asses*. He did not wait for the sentence, but went into exile to Ardea. Livy says that previously to the trial he explored his clients and tribunes to do their utmost to obtain his acquittal (this would prove that he was tried before the centuries, for the tribes cannot possibly be meant): they are said to have declared that they would pay his fine, but not acquit him: this would clearly prove his guilt. According to Dionysius, his gentiles and clients actually paid the fine, and he went into exile from vexation. I believe however that he was condemned by the curies, because when he was to be recalled, the curies assembled in the Capitol to repeal the decree of banishment; for the curies could assemble only at Rome, and this would prove likewise that he was found guilty,—a thing then not uncommon with great men.

At that time no Roman foresaw the calamity which was threatening them. Rome had become great, because the country which she had conquered was weak through its oligarchichal institutions; the subjects of the other states gladly joined the Romans, because under them their lot was more favourable, and probably because they were kindred nations. But matters went with the Romans as they did with

<sup>1</sup> Compare the speech of Fabricius in Dionysius (p. 747, ed. Sylb.)—N.

Basilius, who subdued the Armenians when they were threatened by the Turks, and who soon after attacked the whole Greek empire and took away far more than had been gained before.

The expedition of the Gauls into Italy must be regarded as a migration, and not as an invasion for the purpose of conquest: as for the historical account of it, we must adhere to Polybius and Diodorus, who place it shortly before the taking of Rome by the Gauls. We can attach no importance to the statement of Livy that they had come into Italy as early as the time of Tarquinius Priscus, having been driven from their country by a famine: it undoubtedly arose from the fact, that some Greek writer, perhaps Timaeus, connected this migration with the settlement of the Phocaeans at Massilia. It is possible that Livy even here made use of Dionysius; and that the latter followed Timaeus: for as Livy made use of Dionysius in the eighth book, why not also in the fifth? He himself knew very little of Greek history;<sup>2</sup> but Justin's account is here evidently opposed to Livy. Trogus Pompeius was born in the neighbourhood of Massilia, and in writing his forty-third book he obviously made use of native chronicles, for from no other source could he derive the account of the *decreta honorifica* of the Romans to the Massilians for the friendship which the latter had shown to the Romans during the Gallic war; and from the same source must he have obtained his information about the maritime wars of Massilia against Carthage. Trogus knows nothing of the story that the Gauls assisted the Phocaeans on their arrival; but according to him, they met with a kind reception among the Ligurians, who continued to inhabit those parts for a long time after. About the year A.U. 350, that is, about fifteen years before, Livy himself says, *gentem invisitatam, novos accolas, Gallos comparuisse*. Even the story of the Lucumo who is said to have invited the Gauls is opposed to him, and if it were referred to Clusium alone, it

would be absurd. Polybius places the passage of the Gauls across the Alps about ten or twenty years before the taking of Rome; and Diodorus describes them as advancing towards Rome by an uninterrupted march. It is further stated, that Melpum in the country of the Insubrians was destroyed on the same day as Veii: without admitting this coincidence, we have no reason to doubt that the statement is substantially true; and it is made by Cornelius Nepos, who, as a native of Gallia Transpadana, might possess accurate information, and whose chronological accounts were highly esteemed by the Romans. There was no other passage for the Gauls except either across the Little St. Bernard or across the Simplon: it is not probable that they took the former road, because their country extended only as far as the Ticinus, and if they had come across the Little St. Bernard, they would naturally have occupied also all the country between that mountain and the Ticinus. The Salassi may indeed have been a Gallic people, but it is by no means certain; moreover between them and the Gauls who had come across the Alps the Laevi also lived; and there can be no doubt that at that time Ligurians still continued to dwell on the Ticinus.

Melpum must have been situated in the district of Milan. The latter place has an uncommonly happy situation: often as it has been destroyed, it has always been restored, so that it is not impossible that Melpum may have been situated on the very spot afterwards occupied by Milan. The Gallic migration undoubtedly passed by like a torrent with irresistible rapidity: how then is it possible to suppose that Melpum resisted them for two centuries, or that they conquered it and yet did not disturb the Etruscans for two hundred years? It would be absurd to believe it, merely to save an uncritical expression of Livy. According to the common chronology, the Triballi, who in the time of Herodotus inhabited the plains, and were afterwards expelled by the Gauls, appeared in Thrace twelve years after

<sup>2</sup> Comp. *Hist. of Rome*, vol. iii. n. 485.

the taking of Rome (according to a more correct chronology it was only nine years after that event). It was the same movement assuredly which led the Gauls to the countries through which the middle course of the Danube extends, and to the Po: and could the people who came in a few days from Clusium to Rome, and afterwards appeared in Apulia, have been sitting quiet in a corner of Italy for two hundred years? If they had remained there because they had not the power to advance, they would have been cut to pieces by the Etruscans. We must therefore look upon it as an established fact, that the migration took place at the late period mentioned by Polybius and Diodorus.

These Gauls were partly Celts, and partly (indeed principally) Belgæ or Cymri, as may be perceived from the circumstance, that their king, as well as the one who appeared before Delphi, is called Brennus. Brenin, according to Adelung, in his *Mithridates*, signifies in the language of Wales and Lower Brittany, a *king*. But what caused this whole emigration? The statement of Livy, that the Gauls were compelled by famine to leave their country, is quite in keeping with the nature of all traditions about migrations, such as we find them in Saxo Grammaticus, in Paul Warnefried from the sagas of the Swedes, in the Tyrrhenian traditions of Lydia, and others. However, in the case of a people like the Celts, every specific statement of this kind, in which even the names of their leaders are mentioned, is of no more value than the traditions of other barbarous nations which were unacquainted with the art of writing. It is indeed well known that the Celts in writing used the Greek alphabet, but they probably employed it only in the transactions of daily life; for we know that they were not allowed to commit

their ancient songs to writing. There was, however, among the Celts a tradition which we find in Ammianus Marcellinus, that Britain was one of their earliest seats. Now we meet with them in different parts of Britain, Ireland, and Spain, and in two places of Portugal, for the Celtici and Celtae in Portugal, who lived in Algarbia and Alemtejo, and between the Minho and Douro, were pure Celts. The Celtiberians in Spain were a mixture of Celts and Iberians, and dwelt in the very heart of the mountains between Saragossa and Madrid, which are connected with the Pyrenees.<sup>3</sup> There was the same tradition about those Celts in Spain as about their appearance in Italy, for they were said to have been driven thither by a famine, and then to have made conquests and spread over the country. Here again we have a confusion of the polarity in history. Wherever there is a national migration, we never find the invading people settled in scattered groups. The dispersed inhabitants of such countries, especially in mountainous districts, are usually remnants of the ancient population, the bulk of which has either emigrated or become changed. Among the Celtiberians the Iberians predominated, but the Celts were the native people, united with the Iberians who immigrated from Africa. The language which arose from this union may have been a mixture of the two, but the names of places are Iberian. Similar changes of a great tribe do sometimes occur in history. The Wends in Germany, who were originally Slavonians, though the colonies founded among them were not of much consequence, and there was neither a German conquest, nor German princes, yet for the most part adopted the German language.

<sup>3</sup> The mountains of southern Spain are connected with those of Africa.—N.



## LECTURE XLIII.

THE existence of the Aquitanians in Gaul, is a proof of the migration of the Iberians, for we are told by Caesar that they were pure Spaniards; and there is no reason for supposing that this migration took place at a late period, for the Basques still lived north of the Pyrenees. We have, moreover, the statement of Scylax, that the people of Gaul, from the Pyrenees to the river Rhodanus, was composed of Iberians and Ligurians. The Celts at one time were masters of all Spain, with the exception of Andalusia; and besides Spain, they occupied the south of France, Ireland, and a part of England. The boundary of the Iberians cannot be accurately fixed in the north, though in the earlier times it was the Sierra Morena. In the south we find them in southern Spain, in the Balearian islands, Sardinia, Corsica, and Western Sicily; and lastly also in Africa.

The Cymri or Belgae were a people different from the Celts, though akin to them. This difference, concerning which I expressed my opinion years ago, is of great importance, and is now generally acknowledged. It is not a new discovery; I have only brought forward facts which were previously overlooked. Caesar's idea that the Belgae were a mixture of Germans and Celts is erroneous. They were perfectly distinct from the Germans, although a small number of words in their language are Germanic. In Caesar's time they were unquestionably Cymri, somewhat mixed with Germans, who had joined them in their migration. A part of Britain too was inhabited by Cymri, who were probably the earlier inhabitants, having afterwards been expelled by the Gael. The latter were pressed on by the Iberians, the Cymri by the Gael, and the Germans by the Cymri, who then inhabited the north of France and the low countries, which were subsequently inhabited by Celts.

The south of France, from the Pyrenees, Lower Languedoc, and the valley of the Rhone, Piedmont, and Lombardy, as far as the Etruscans, were occupied by the Ligurians, a great European nation. Scylax states, that Lower Languedoc had a mixed population of Iberians and Ligurians, and in later times, which cannot be chronologically determined, the Celts drove the Iberians from Spain as far as the Garonne, and the Iberians forced the Ligurians to retire as far as the district of Aix in Provence—an event which may be recognised from its consequences. By this impulse the Gauls and Cymri together were compelled to emigrate: some Cymri retreated before the Gauls and went away, but others joined them. The Gauls and Cymri were very different from one another, for their language and grammar are quite distinct. The two great migrations under Bellovesus and Sigovesus, which are mentioned by Livy, must be regarded as true, although the leaders are perhaps nothing but personifications. The one directed towards Italy, between the Alpine tribes of the Etruscans and the Ligurians, overran the Etruscan towns in the plain of Lombardy; the other extended north of the Alps. The Raetians, Lepontians, Camunians, Stonians, and other Alpine tribes in the Tyrol and the Southern Alps, as far as Verona, maintained their ground like islands among the invading Gauls, who poured in around them like a sea; so that their situation reminds us of that of the three Celtic tribes in Spain. The migration of which the Helvetii were a remnant, has been sufficiently explained in my Essay on the Scythians and Sarmatians.<sup>1</sup> It first appears about the Black Forest, where it rested for a while, and thence proceeded to-

<sup>1</sup> In the *Kleine Hist. Schriften, Erste Sammlung*, p. 352, etc.

wards the middle Danube, Hungary, and Lower Slavonia. There the migratory hordes undertook the difficult conquest of the high mountains, and then spread over Macedonia, Thrace, and Bulgaria. They also advanced across the Danube as far as the Dnieper, but being repelled by the Sarmatians, they again threw themselves upon Europe. This is the only known instance in which it is clear, that the torrent of a migrating people rolls on till it meets with insurmountable obstacles, and then returns with the same rapidity. At the time when Herodotus wrote (about A.U. 320), the people on the middle and lower Danube still lived undisturbed in their ancient seats. The Scythians inhabited Moldavia and Wallachia as far as Transylvania. Slavonia and Lower Hungary were inhabited by the Agathyrsi and Triballi. But nine years after the taking of Rome by the Gauls, the Triballi appear in the neighbourhood of Abdera in Thrace, and afterwards we find them on the southern part of the Danube in Bulgaria. The Scythians, on the other hand, were confined to Bessarabia as early as the time of Philip; and in the time of Alexander, the Getae were in possession of Moldavia and Wallachia. The nation that brought about this change was the Gauls, and that in the same migration during which they poured in upon Italy.

Scylax (Olymp. 106) was aware that there were Gauls at the head of the Adriatic, which was afterwards inhabited by the Carnians and Noricans; they were, according to him, a remnant of the Gallic migration, and a part of the Gauls who had advanced farther dwelt in Sirmium; thence they crossed the Danube under the name of the Bastarnians, and forced the Getae to throw themselves into Hungary and Transylvania; afterwards they spread in the Ukraine. From the important inscription of Olbia published by Köhler, we see that the Galatians, and along with them the Sciri (afterwards a German people), lived about the Dnieper, and this fact agrees well with the disappearance of the Scythians at

that time. For there was also an eastern migration of the Sarmatians, a people whom Herodotus knew only beyond the Tanais; Scylax, who lived seventy years later, speaks of them as living on the western side of that river: in the inscription of Olbia they appear east of the Dnieper, and under Augustus they destroyed the Greek towns in Wallachia. This movement afterwards caused the migration of the Cymri or Cymbri, for the Cymri always took part in the migration of the Celts: among them were the Bastarnae, who lived in the south of Poland and in Dacia, and were expelled by the Sarmatians: J. von Müller was the first who saw the truth of the statement of Posidonius, that the Cimbri did not come from Jütland but from the East; he did not see however that they were originally Belgae, or, as the Greeks call them by a more general name, Κέλται. It is foolish to claim the victories of the Cimbri as having been gained by the German nation.

These migrations extended in Germany as far as the river Mayn, and the forest of Thuringia, nay even Bohemia, was inhabited by Celts previously to the time of Caesar, and some of their tribes existed in that country as late as the time of Tacitus, for the Gothini still continued to speak Gallic; and the Noricans in Austria were of the Celtic race. The Raetians were Etruscans, and the Vindelicians Liburnians. The Helvetii conquered the greater part of Switzerland, but the country about the St. Gothard remained in the possession of the ancient inhabitants. The Gauls penetrated into Italy only through a limited part of the Alps, probably across the Simplon, and the Valais was the sole bond between the Gauls in Italy and their kinsmen north of the Alps. As far as Aosta the ancient inhabitants maintained themselves, for the Salassians, Taurinians, and others were Ligurians, and the people at the foot of the St. Gothard were Etruscans. The Ligurians were a very warlike people and kept their ground on both sides of the Alps; the Allobroges, however, were pure Celts. Hence Gallia Cisalpina in

our maps is much too large, and that even in D'Anville's map. Piedmont formed no part of it: it comprised only the Austrian territory of Milan, Bergamo and Brescia, Lombardy south of the Po as far as the Adriatic, and north of the Po to about the lake of Garda. Thus all the country occupied by them was in the plain, and this is another reason why their migration cannot have lasted as long as Livy states.

During this Gallic migration we are again made aware how little we know of the history of Italy generally: our knowledge is limited to Rome, so that we are in the same predicament there, as if of all the historical authorities of the whole German empire we had nothing but the annals of a single imperial city. According to Livy's account, it would seem as if the only object of the Gauls had been to march to Rome; and yet this immigration changed the whole aspect of Italy. After the Gauls had once crossed the Apennines, there was no further obstacle to prevent their marching to the south of Italy by any road they pleased; and it is in fact mentioned that they did proceed farther south. The Umbrians still inhabited the country on the lower Po, in the modern Romagna and Urbino, parts of which were occupied by Liburnians. Polybius says that many people there became tributary to the Gauls, and that this was the case with the Umbrians is quite certain.

The first historical appearance of the Gauls is at Clusium, whither a noble Clusine is said to have invited them for the purpose of taking vengeance on his native city. Whether this account is true, however, must remain undecided, and if there is any truth in it, it is more probable that the offended Clusine went across the Apennines and fetched his avengers. Clusium has not been mentioned since the time of Porsena; the fact of the Clusines soliciting the aid of Rome is a proof how little that northern city of Etruria was concerned about the fate of the southern towns, and makes us even suspect that it was allied with Rome; however, the

danger was so great that all jealousy must have been suppressed. The natural road for the Gauls would have been along the Adriatic, then through the country of Umbrians who were tributary to them and already quite broken down, and thence through the Romagna across the Apennines. But the Apennines which separate Tuscany from the Romagna are very difficult to cross, especially for sumpter horses; as therefore the Gauls could not enter Etruria on that side, which the Etruscans had intentionally allowed to grow wild, and as they had been convinced of this in an unsuccessful attempt, they crossed the Apennines in the neighbourhood of Clusium, and appeared before that city. Clusium was the great bulwark of the valley of the Tiber; and if it were taken, the roads along the Tiber and the Arno would be open, and the Gauls might reach Arezzo from the rear: the Romans therefore looked upon the fate of Clusium as decisive of their own. The Clusines sued for a treaty with the mighty city of Rome, and the Romans were wise enough readily to accept the offer: they sent ambassadors to the Gauls, ordering them to withdraw. According to a very probable account, the Gauls had demanded of the Clusines a division of their territory as the condition of peace, and not, as was customary with the Romans, as a tax upon a people already subdued: if this is correct, the Romans sent the embassy confiding in their own strength. But the Gauls scorned the ambassadors, and the latter, allowing themselves to be carried away by their warlike disposition, joined the Etruscans in a fight against the Gauls: this was probably only an insignificant and isolated engagement. Such is the account of Livy, who goes on to say, that the Gauls, as soon as they perceived this violation in the law of nations, gave the signal for a retreat, and having called upon the gods to avenge the wrong, marched against Rome. This is evidently a mere fiction, for a barbarous nation like the Gauls cannot possibly have had such ideas, nor was there in reality any violation of the law

of nations, as the Romans stood in no kind of connection with the Gauls. But it was a natural feeling with the Romans to look upon the fall of their city as the consequence of a *nefas*, which no human power could resist. Roman vanity also is at work here, inasmuch as the Roman ambassadors are said to have so distinguished themselves, that they were recognized by the barbarians among the hosts of Etruscans. Now according to another tradition directly opposed to these statements, the Gauls sent to Rome to demand the surrender of those ambassadors: as the senate was hesitating and left the decision to the people, the latter not only rejected the demand, but appointed the same ambassadors to the office of military tribunes, whereupon the Gauls with all their forces at once marched towards Rome. Livy here again speaks of the *populus* as the people to whom the senate left the decision; this must have been the patricians only, for they alone had the right to decide upon the fate of the members of their own order. It is not fair to accuse the Romans on that occasion of dishonesty; but this account assuredly originated with later writers, who transferred to barbarians the right belonging to a nation standing in a legal relation to another. The statement that the three ambassadors, all of whom were Fabii, were appointed military tribunes, is not even the usual one, for there is another in Diodorus, who must here have used Roman authorities written in Greek, that is, Fabius; since he calls the Caerites *Καίριοι* and not *Ἀγυλλαῖοι*. He speaks of a single ambassador, who being a son of a military tribune fought against the Gauls. This is at least a sign how uncertain history yet is. The battle on the Alia was fought on the 16th of July; the military tribunes entered upon their office on the first of that month; and the distance between Clusium and Rome is only three good days' marches. It is impossible to restore the true history, but we can discern what is fabulous from what is really historical.

An innumerable host of Gauls now

marched from Clusium towards Rome. For a long time the Gauls were most formidable to the Romans, as well as to all other nations with whom they came in contact, even as far east as the Ukraine; as to Rome, we see this as late as the Cisalpine war of the year A. U. 527. Polybius and Diodorus are our best guides in seeking for information about the manners of the Gauls, for in the time of Caesar they had already become changed. In the description of their persons we partly recognise the modern Gael, or the inhabitants of the Highlands of Scotland: huge bodies, blue eyes, bristly hair; even their dress and armour are those of the Highlanders, for they wore the checked and variegated tartans (*sagula virgata, versicoloria*); their arms consisted of the broad, unpointed battle-sword, the same weapon as the claymore among the Highlanders. They had a vast number of horns, which were used in the Highlands for many centuries after, and threw themselves upon the enemy in immense irregular masses with terrible fury, those standing behind impelling those stationed in front, whereby they became irresistible by the tactics of those times. The Romans ought to have used against them their phalanx and doubled it, until they were accustomed to this enemy, and were enabled by their greater skill to repel them. If the Romans had been able to withstand their first shock, the Gauls would have easily been thrown into disorder, and put to flight. The Gauls who were subsequently conquered by the Romans were the descendants of such as were born in Italy, and had lost much of their courage and strength. The Goths under Vitiges, not fifty years after the immigration of Theodoric into Italy, were cowards, and unable to resist the 20,000 men of Belisarius: shewing how easily barbarians degenerate in such climates. The Gauls moreover were terrible on account of their inhuman cruelty, for wherever they settled, the original towns and their inhabitants completely disappeared from the face of the earth. In their own country they had the



feudal system and a priestly government: the Druids were their only rulers, who avenged the oppressed people on the lords, but in their turn became tyrants: all the people were in the condition of serfs,—a proof that the Gauls, in their own country too, were the conquerors who had subdued an earlier population. We always find mention of the wealth of the Gauls in gold, and yet France has no rivers that carry gold-sand, and the Pyrenees were then no longer in their possession: the gold must therefore have been obtained by barter. Much may be exaggeration: and the fact of some noble individuals wearing gold chains was probably transferred by ancient poets to the whole nation, since popular poetry takes great liberty, especially in such embellishments.

Pliny states that previously to the Gallic calamity, the census amounted to 150,000 persons, which probably refers only to men entitled to vote in the assemblies, and does not comprise women, children, slaves and strangers. If this is correct, the number of citizens was enormous; but it must not be supposed to include the inhabitants of the city only, the population of which was doubtless much smaller. The statement of Diodorus that all men were called to arms to resist the Gauls, and that the number amounted to 40,000, is by no means improbable: according to the testimony of Polybius, Latins and Hernicans also were enlisted. Another account makes the Romans take the field against the Gauls with 24,000 men, that is, with four field-legions and four civic legions: the field-legions were formed only of plebeians, and served, according to the order of the classes, probably in maniples; the civic legions contained all those who belonged neither to the patricians nor to the plebeians, that is, all the *aerarii*, *proletarii*, freedmen, and artizans who had never before faced an enemy. They were certainly not armed with the *pilum*, nor drawn up in maniples; but used pikes and were employed in phalanxes. Now as for the field legions, each consisted half of Latins and half of Romans,

there being in each maniple one century of Romans and one of Latins. There were at that time four legions, and as a legion, including the reserve troops, contained 3,000 men, the total is 12,000; now the account which mentions 24,000 men, must have presumed that there were four field-legions and four irregular civic ones. There would accordingly have been no more than 6,000 plebeians, and, even if the legions were all made up of Romans, only 12,000; if in addition to these we take 12,000 irregular troops and 16,000 allies, the number of 40,000 would be completed. In this case, the population of Rome would not have been as large as that of Athens in the Peloponnesian war, and this is indeed very probable. The cavalry is not included in this calculation: but 40,000 must be taken as the maximum of the whole army. There seems to be no exaggeration in this statement, and the battle on the Alia, speaking generally, is an historical event. It is surprising that the Romans did not appoint a dictator to command in the battle; it cannot be said indeed that they regarded this war as an ordinary one, for in that case they would not have raised so great a force, but they cannot have comprehended the danger in all its greatness. New swarms continued to come across the Alps; the Senones also now appeared to seek habitations for themselves; they, like the Germans in after times, demanded land, as they found the Insubrians, Boians and others already settled; the latter had taken up their abode in Umbria, but only until they should find a more extensive and suitable territory.

The river Alia possesses no remarkable feature, and one might almost be inclined to believe that the aspect of the country in that district has changed. It is only by the distances being mentioned that we can determine the river called Alia. The ancients describe it as a river with high banks, but the modern river which must be identified with it, has no such banks. The name has entirely disappeared. In summer all the rivers of that country have very

little water, and the position behind it was therefore of little avail. The Romans committed the great mistake of fighting with their hurriedly collected troops a battle against an enemy who had hitherto been invincible. The hills along which the right wing is said to have been drawn up are no longer discernible, and they were probably nothing but little mounds of earth:<sup>2</sup> at any rate it was senseless to draw up a long line against the immense mass of enemies. The Gauls, on the other hand, were enabled without any difficulty to turn off to the left. They proceeded to a higher part of the river, where it was more easily fordable, and with great prudence threw themselves with all their force upon the right wing, consisting of the civic legions. The latter at first resisted, but not long; and when they fled, the whole remaining line, which until then seems to have been useless and inactive, was seized with a panic. Terror preceded the Gauls as they laid waste everything on their way,<sup>3</sup> and this paralysed the courage of the Romans, instead of rousing them to a desperate resistance. The Romans therefore were defeated on the Alia in the most inglorious manner. The Gauls had taken them in their rear, and cut off their return to Rome. A portion fled towards the Tiber, where some effected a retreat across the river, and others were drowned; another part escaped into a forest. The loss of life must have been prodigious, and it is inconceivable how Livy could have attached so much importance to the mere disgrace. If the Roman army had not been almost annihilated, it would not have been necessary to give up the defence of the city, as was

done, for the city was left undefended and deserted by all. Many fled to Veii instead of returning to Rome: only a few, who had escaped along the high road, entered the city by the Colline gate. Rome was exhausted, her power shattered, her legions defenceless, and her warlike allies had partly been beaten in the same battle, and were partly awaiting the fearful enemy in their own countries. At Rome it was believed that the whole army was destroyed, for nothing was known of those who had reached Veii. In the city itself there were only old men, women, and children, so that there was no possibility of defending it. It is, however, inconceivable that the gates should have been left open, and that the Gauls, from fear of a stratagem, should have encamped for several days outside the gates. A more probable account is, that the gates were shut and barricaded. We may form a vivid conception of the condition of Rome after this battle, by comparing it with that of Moscow before the conflagration: the people were convinced that a long defence was impossible, since there was probably a want of provisions. Livy gives a false notion of the evacuation of the city, as if the defenceless citizens had remained immovable in their consternation, and only a few had been received into the Capitol. The determination, in fact, was to defend the Capitol, and the tribune Sulpicius had taken refuge there, with about 1,000 men. There was on the Capitol an ancient well which still exists, and without which the garrison would soon have perished. This well remained unknown to all antiquaries, till I discovered it by means of information gathered from the people who live there. Its depth in the rock descends to the level of the Tiber, but the water is now not fit to drink. The Capitol was a rock which had been hewn steep, and thereby made inaccessible, but a *clivus*, closed by gates both below and above, led up from the Forum and the *Via Sacra*. The rock, indeed, was not so steep as in later times, as is clear from the account of

<sup>2</sup> It is very difficult to recognise the places in Lombardy where the battles of 1799 were fought, because the roads have since been laid differently. The same is the case at Lutzen, Breitenfeld, and Leuthen; nay, even at Prague and Collin it is not an easy matter to identify the fields of battle.—N.

<sup>3</sup> The Gauls destroyed all the towns in Gallia Cispadana, and they themselves lived only in villages. When subsequently the Romans conquered the country of the Insularians, they found no trace of the ancient population.—N.

the attempt to storm it; but the Capitol was nevertheless very strong. Whether some few remained in the city, as at Moscow, who in their stupefaction did not consider what kind of enemy they had before them, cannot be decided. The narrative is very beautiful, and reminds us of the taking of the Acropolis of Athens by the Persians, where, likewise, the old men allowed themselves to be cut down by the Persians. Notwithstanding the improbability of the matter, I am inclined to believe that a number of aged patricians—their number may not be exactly historical—sat down in the Forum, in their official robes, on their curule chairs, and that the chief pontiff devoted them to death. Such devotions are a well-known Roman custom. It is certainly not improbable that the Gauls were amazed when they found the city deserted, and only these old men sitting immoveable, that they took them for statues or supernatural visions, and did nothing to them, until one of them struck a Gaul who touched him, whereupon all were slaughtered. To commit suicide was repugnant to the customs of the Romans, who were guided in many things by feelings more correct and more resembling our own, than many other ancient nations. The old men, indeed, had given up the hope of their country being saved; but the Capitol might be maintained, and the survivors preferred dying in the attempt of self-defence to taking refuge at Veii, where after all they could not have maintained themselves in the end. The sacred treasures were removed to Caere, and the hope of the Romans now was, that the barbarians would be tired of the long siege. Provisions for a time had been conveyed to the Capitol, where a couple of thousand men may have been assembled, and where all buildings, temples, as well as public and private houses, were used as habitations. The Gauls made fearful havoc at Rome, even more fearful than the Spaniards and Germans did in the year 1527. Soldiers plunder, and when they find no human beings, they engage

in the work of destruction; and fires break out, as at Moscow, without the existence of any intention to cause a conflagration. The whole city was changed into a heap of ashes, with the exception of a few houses on the Palatine, which were occupied by the leaders of the Gauls. It is astonishing to find, nevertheless, that a few monuments of the preceding period, such as statues, situated at some distance from the Capitol, are mentioned as having been preserved; but we must remember that *travertino* is tolerably fireproof. That Rome was burnt down is certain; and when it was rebuilt, not even the ancient streets were restored.

The Gauls were now encamped in the city. At first they attempted to storm the clivus, but were repelled with great loss, which is surprising, since we know that at an earlier time the Romans succeeded in storming it against Appius Herdonius. Afterwards they discovered the footsteps of a messenger who had been sent from Veii, in order that the state might be taken care of in due form; for the Romans in the Capitol were patricians, and represented the curies and the government, whereas those assembled at Veii represented the tribes, but had no leaders. The latter had resolved to recall Camillus, and raise him to the dictatorship. For this reason Pontius Cominius had been sent to Rome to obtain the sanction of the senate and the curies. This was quite in the spirit of the ancient times. If the curies had interdicted him *aqua et igni*, they alone could recall him, if they previously obtained a resolution of the senate authorising them to do so; but if he had gone into voluntary exile, and had given up his Roman franchise by becoming a citizen of Ardea before a sentence had been passed upon him by the centuries, it was again in the power of the curies alone, he being a patrician, to recall him as a citizen; and otherwise he could not have become dictator, nor could he have regarded himself as such.

## LECTURE XLIV.

It was the time of the dog-days when the Gauls came to Rome, and as the summer at Rome is always pestilential, especially during the two months and a half before the first of September, the unavoidable consequence must have been, as Livy relates, that the barbarians, bivouacking on the ruins of the city in the open air, were attacked by disease and carried off, like the army of Frederick Barbarossa when encamped before the castle of St. Angelo. The whole army of the Gauls, however, was not in the city, but only as many as were necessary to blockade the garrison of the Capitol; the rest were scattered far and wide over the face of the country, and were ravaging all the unprotected places and isolated farms in Latium; many an ancient town, which is no longer mentioned after this time, may have been destroyed by the Gauls. None but fortified places like Ostia, which could obtain supplies by sea, made a successful resistance, for the Gauls were unacquainted with the art of besieging. The Ardeatans, whose territory was likewise invaded by the Gauls, opposed them, under the command of Camillus;<sup>1</sup> the Etruscans would seem to have endeavoured to avail themselves of the opportunity of recovering Veii, for we are told that the Romans at Veii, commanded by Caedicius, gained a battle against them,

<sup>1</sup> A difficult passage in Ovid's *Metamorphoses* must perhaps be referred to this war: he says, that out of the ruins of the town of Ardea, which had been laid waste by the barbarians, there arose a heron. Modern commentators have incorrectly referred this destruction to the Hannibalian war; it might be an allusion to some Samnite war, in which Ardea was destroyed, as we may perhaps infer from Strabo, who says that the Samnites carried their conquests as far as Ardea; but the Samnites were surely not called barbarians; we probably have here the reverse of the tradition given in the text, that the Ardeatans under Camillus conquered the Gauls.—N.

and that, encouraged by this success, they began to entertain a hope of regaining Rome, since by this victory they got possession of arms.

A Roman of the name of Fabius Dorso, is said to have offered up, in broad daylight, a gentilician sacrifice on the Quirinal; and the astonished Gauls are said to have done him no harm—a tradition which is not improbable.

The provisions in the Capitol were exhausted, but the Gauls themselves being seized with epidemic diseases became tired of their conquests, and were not inclined to settle in a country so far away from their own home. They once more attempted to take the Capitol by storm, having observed that the messenger from Veii had ascended the rock, and come down again near the Porta Carmentalis, below Araceli. The ancient rock is now covered with rubbish, and no longer discernible. The besieged did not think of a storm on that side; it may be, that formerly there had in that part been a wall, which had become decayed; and in southern countries an abundant vegetation always springs up between the stones,<sup>2</sup> and if this had actually been neglected it cannot have been very difficult to climb up. The Gauls had already gained a firm footing, as there was no wall at the top—the rock which they stormed was not the Tarpeian, but the arx—when Manlius who lived there was roused by the screaming of the geese: he came to the spot and thrust down those who were climbing up. This rendered the Gauls still more inclined to commence negotiations; they were moreover called back by an inroad of some Alpine tribes into Lombardy, where they had left their wives and children: they offered to depart if the Romans would pay them

<sup>2</sup> Virgil says: *Galli per dumos aderant*, and Livy too speaks of *virgulta*.—N.



a ransom of a thousand pounds of gold, to be taken no doubt from the Capitoline treasury. Considering the value of money at that time, the sum was enormous: in the time of Theodosius indeed, there were people at Rome who possessed several hundred weights of gold, nay, one is said to have had an annual revenue of two hundred weights. There can be no doubt that the Gauls received the sum they demanded, and quitted Rome; that in weighing it, they scornfully imposed upon the Romans is very possible, and the *vae victis* too may be true: we ourselves have seen similar things before the year 1813. But there can be no truth in the story told by Livy, that while they were disputing Camillus appeared with an army and stopped the proceedings, because the military tribunes had had no right to conclude the treaty. He is there said to have driven the Gauls from the city, and afterwards in a two-fold battle to have so completely defeated them that not even a messenger escaped. Beaufort, inspired by Gallic patriotism, has most excellently shown what a complete fable this story is. To attempt to disguise the misfortunes of our forefathers by substituting fables in their place is mere childishness. This charge does not affect Livy indeed, for he copied only what others had written before him; but he did not allow his own conviction to appear as he generally does, for he treats the whole of the early history with a sort of irony, half believing, half disbelieving it.

According to another account in Diodorus, the Gauls besieged a town allied with Rome (its name seems to be miswritten, but is probably intended for Vulsinii), and the Romans relieved it and took back from the Gauls the gold which they had paid them; but this siege of Vulsinii is quite unknown to Livy. A third account in Strabo and also mentioned by Diodorus does not allow this honour to the Romans, but states that the Caerites pursued the Gauls, attacked them in the country of the Sabines, and completely annihilated them. In like manner the Greeks endeavoured to disguise the

fact, that the Gauls took the money from the Delphic treasury, and that in a quite historical period (Olymp. 120). The true explanation is undoubtedly the one found in Polybius, that the Gauls were induced to quit Rome by an insurrection of the Alpine tribes, after it had experienced the extremity of humiliation. Whatever the enemy had taken as booty was consumed; they had not made any conquests, but only indulged in plunder and devastation; they had been staying at Rome for seven or eight months, and could have gained nothing further than the Capitol and the very money which they received without taking that fortress. The account of Polybius throws light upon many discrepant statements, and all of them, not even excepting Livy's fairy-tale-like embellishment, may be explained by means of it. The Romans attempted to prove that the Gauls had actually been defeated, by relating that the gold afterwards taken from the Gauls and buried in the Capitol, was double the sum paid to them as a ransom; but it is much more probable that the Romans paid their ransom out of the treasury of the temple of the Capitoline Jupiter and of other temples, and that afterwards, double this sum was made up by a tax, which agrees with a statement in the history of Manlius, that a tax was imposed for the purpose of raising the Gallic ransom: surely this could not have been done at the time of the siege, when the Romans were scattered in all parts of the country, but must have taken place afterwards for the purpose of restoring the money that had been taken. Now if at a later time there actually existed in the Capitol such a quantity of gold, it is clear that it was believed to be a proof that the Gauls had not kept the gold which was paid to them.

Even as late as the time of Cicero and Caesar, the spot was shewn at Rome in the Carinae, where the Gauls had heaped up and burned their dead; it was called *busta Gallica*, which was corrupted in the middle ages into Portogallo, whence the church which was built there was in reality called *S. Andreas in bustis Gallicis*, or according to

the later latinity in *busta Gallica*,—*busta Gallica* not being declined.

The Gauls departed with their gold which the Romans had been compelled to pay, on account of the famine that prevailed in the Capitol, which was so great that they pulled the leather from their shields and cooked it, just as was done during the siege of Jerusalem. The Gauls were certainly not destroyed. Justin has preserved the remarkable statement that the same Gauls who sacked Rome went to Apulia, and there offered for money their assistance to the elder Dionysius of Syracuse. From this important statement it is at any rate clear, that they traversed all Italy, and then probably returned along the shore of the Adriatic: their devastations extended over many parts of Italy, and there is no doubt that the Aequians received their death-blow at that time, for henceforth we hear no more of the hostilities of the Aequians against Rome. Praeneste, on the other hand, which must formerly have been subject to the Aequians, now appears as an independent town. The Aequians, who inhabited small and easily destructible towns, must have been annihilated during the progress of the Gauls.

There is nothing so strange in the history of Livy as his view of the consequences of the Gallic calamity; he must have conceived it as a transitory storm by which Rome was humbled but not broken. The army according to him was only scattered, and the Romans appear afterwards just as they had been before, as if the preceding period had only been an evil dream, and as if there had been nothing to do but to rebuild the city. But assuredly the devastation must have been tremendous throughout the Roman territory: for eight months the barbarians had been ravaging the country, every trace of cultivation, every farmer's house, all the temples and public buildings were destroyed; the walls of the city had been purposely pulled down, a large number of its inhabitants were led into slavery, the rest were living in great misery at Veii; and

what they had saved scarcely sufficed to buy their bread. In this condition they returned to Rome. Camillus as dictator is called a second Romulus, and to him is due the glory of not having despaired in those distressing circumstances. After the time of the Volscian war, Rome had no longer been able to concede to her former allies, who were then in a state of weakness, the same rights as before: they had been subjects of Rome for nearly seventy years, though Rome was very mild in the use of her power. But all those people who had suffered less than Rome, now renounced her supremacy, and this is the *defectio Latinorum qui per centum fere annos nunquam ambigua fide in amicitia populi Romani fuerant*, of which Livy speaks: nothing is more natural than that they should assert their independence. It would be very lamentable if unnatural regulations had an invincible power, rendering it impossible for that which is in accordance with nature finally to become established. It is quite a different question how it necessarily came to pass that shortly before the Gallic invasion the Romans in reality had the supremacy; this certainly was the case, as under similar circumstances among the seven Dutch provinces, although all had perfectly equal rights, yet Holland in fact stood at their head, and occupied the rank which belonged to it in virtue of its wealth and population. In like manner, Rome might be regarded as the head of the confederacy, but only so long as she was in possession of all her power.

There is an ancient tradition that during the famine, the aged were killed in order to save them from the pangs of death by starvation, and to preserve the little means which yet remained for those who were to perpetuate the republic. Things were almost as bad as at the destruction of Magdeburg, where the number of inhabitants was reduced from 30,000 to 3,000. Even after it was rebuilt, Rome must for several generations have been only a shadow of what it had been previously to its destruction. It is quite natural

that the people should have been desponding, and that the tribunes should have insisted upon abandoning Rome and settling at Veii. It is the merit of Camillus that he resisted this pusillanimous despondency, and he was on that occasion supported by his high aristocratic sentiments. It required great acuteness to hit upon the right plan: the gods had abandoned Veii, and Juno had loudly declared that she would not inhabit it, but Rome. The discussions upon this subject in Livy have a peculiar charm. I do not mean to say that Rome would not have been able to strike new roots at Veii, but it is more probable that it would have entirely perished; the Latins would have made themselves masters of the left bank of the Tiber, and perhaps a Volscian or Latin colony would have been established on the seven hills. The situation of Rome on a river between three nations had been chosen by Providence for her greatness; its advantages are obvious: but at Veii the Romans would perhaps have become Etruscans. The senate now acted like a severe father: after it had passed the resolution to rebuild Rome, which was very hard for the poor, an order was issued that, for the purpose of restoring Rome, Veii should be destroyed. The senate, it is said, gave gratis tiles, stones, and other building materials, all of which were to be found at Veii, the buildings of which were the property of the Roman republic. The materials had now to be carried to Rome. The new habitations were badly built huts, and it was only gradually that better houses were erected. The senate gave the people leave to build as they pleased, for according to Roman principles all private property had during the confusion reverted to the state, which now gave permission to occupy it anew. The walls were restored, and the dangerous place in the Capitol where the Gauls had climbed up, was strengthened by a substructure of square blocks. It was not till the time of Augustus that Veii was restored as a military colony, but it was

only a small place like Gabii, Lavici, and others.

The longer I have been engaged in these investigations, the more satisfaction have I derived from them. I am conscious of having searched after truth without allowing myself to be dazzled by authority. When I find that statements which I had absolutely rejected are, after all, correct in a certain sense, and that they have become imperfect only through want of knowledge or through having fallen into oblivion, I am always greatly rejoiced. This has happened to me frequently, and especially in regard to the history of the Roman rate of interest and the laws about usury. If I am to state what I think, I must say that before my time these subjects were in the greatest confusion. During the eighteenth century the antiquities of the Roman law, especially the *jus publicum*, were sadly neglected: I except Schulting. Heineccius, a man deserving of all honour, possessed great talent and learning, but did not know what course to take; he laboured under the same mistake as the men of the sixteenth century, whose disciple he was, and had no independence of judgment. A variety of opinions have been published on the Roman rate of interest: among others Hugo of Göttingen has written upon the subject: he came forward as the founder of a new school of learned jurisprudence; he was a man of excellent taste, and took great interest in these questions, but did not possess the solid learning which is required for such discussions. Savigny and I were long ago convinced that what Hugo had written on the rate of interest was worth nothing, and that the whole subject must be investigated anew. Savigny did not undertake the task, but I was led to it in the course of my investigations into Roman history: my results have been confirmed by Schrader of Tübingen, and my opinions are now generally adopted.<sup>3</sup> Roman con-

<sup>3</sup> As an artist opens his pupil's eye and trains it best by working in his presence, so it is in science also: he who has searched all his life certainly does a service to his dis-

tracts of loan were concluded for years of ten months each, and one ounce was paid as interest upon one *As*, that is, one twelfth part of the capital, which is as much as ten per cent. in a year of twelve months. Hugo thought that one twelfth was paid for every month, which proves that he had no perception of what is possible in the affairs of practical life. Jurisprudence, in general, has two sides: the one is science or theory, and the other the practice of ordinary life; in regard to the latter, we Germans are in a wrong way: in other countries things are better, inasmuch as the knowledge of theory goes more hand in hand with the relations of practical life. It is quite remarkable that there are teachers of law, who have no knowledge of actual affairs, which appears to me as absurd as if a man were to come forward to teach medicine without having any notion of disease. A practical knowledge must support historical jurisprudence, and if any one has got that, he can easily master all scholastic speculations. The later Roman law of debt was taken entirely from the Greek law, and the calculation of the *syngrapha* and *centesimae*, such as it existed in the time of Cicero, arose from the condition of things established in the Greek cities of Athens, Rhodes, and Alexandria. We read in Tacitus that the *foenus unciarium* was introduced by the laws of the twelve tables, and in Livy that it was established at the beginning of the fifth century. These statements have been considered an inexplicable contradiction, and I too formerly believed that Tacitus was mistaken; but I am now of a different opinion. We must here make a distinction: it does not follow from Livy's account that the *foenus unciarium* was not mentioned in the twelve tables. Down to the time of the Gallic invasion we hear of no complaint about usury, but afterwards, when every one was obliged

to build, the law of usury was probably abolished, in order to enable every one to obtain money on any terms. Hence arose a dreadful state of debt; and forty years later the ancient laws of usury were re-established. Livy is therefore probably correct in saying that at one time the taking of interest was entirely forbidden. In the year 1807, some friends of mine, in opposition to my urgent remonstrances, carried a decree by which the laws of usury were abolished in Prussia; but the consequences were very unfortunate. Afterwards the money could not be paid, and then *faciebant versuram*, that is, the interest was added to the capital.

It is unaccountable how men could be found at that time to advance the money; it is true people were content with satisfying their most pressing wants, and for this reason the senate allowed them to build as they pleased; but however much the state might do to facilitate the building, still the restoration must have been immensely expensive. I believe that the means were obtained through the clientela: the grand determination to restore Rome, which had been made by the senate in the consciousness of her immortality, was very imposing and must have made people believe that the strength of the state was unexhausted; and thus capitalists in various parts of Italy may have been tempted to go to a place where they might expect to make enormous profits: the patricians had probably not been able to rescue such immense capitals from the Gallic calamity. When therefore a Syracusan or a Neapolitan came to Rome with ready money, he was not allowed to lend it himself, and accordingly became the client of a patrician who concluded the nexum for him. In this manner the condition of the commonalty down to the passing of the Licinian law was extremely wretched, and it was unfair that the order which enjoyed so many advantages in the state, should also derive a usurious interest from their less fortunate fellow-citizens.

ciples if he shows to them the manner in which he made progress, and sometimes also how he was obliged to retrace his steps.—N.



## LECTURE XLV.

IF Rome alone had been destroyed by the Gauls, as the reader of Livy must believe, unless he rises to a higher point of view, it would be inconceivable how Rome could have maintained herself against the neighbouring nations, which had seized the opportunity of shaking off her yoke. But her neighbours, like herself, had undoubtedly deeply felt the calamity, even supposing that they defended their towns, and that many may have ward off devastation by a heavy war-tax. The condition of a great part of Italy reminds us of the time which followed immediately after the termination of the Thirty Years' War, when new wars broke out forthwith. I shall give you only brief sketches of these events. We clearly see that the Etruscans rose against the Romans, and that this affair terminated favourably for the latter. Sutrium and Nepes were then the Roman frontier towns towards Etruria,—all the rest, including Falerii, was lost,—and even these towns were sometimes besieged and actually taken; when the Romans had reconquered them they formed them into colonies. The war was carried on mainly against the Tarquinians and Vulturnians. The fact of the Etruscans endeavouring to recover the conquests made by the Romans, shews that the Etruscan confederacy also was then in a state of dissolution, for the northern Etruscans were fighting against the Gauls, while the southern ones attacked Rome. In the accounts of our historians, however, these Etruscan wars are still as full of fabulous statements as the former ones. At this time we everywhere, even in Greece, see a dissolution of the ancient confederacies, and a tendency to unite into larger states. The condition of Latium was such that we may say there was no longer any bond to keep the confederacy together. Antium, Velitrae,

and Circeii, whose colonists were either expelled or made common cause with the Latins and Volscians, as well as the Hernicans, were separate from Rome, and scarcely the nearest towns, such as Tusculum and Lanuvium, remained faithful to her. Praeneste now became an important place: the Praenestines and Tiburtines seem at that time to have been allied, and Praeneste may perhaps have been the head of a portion of the Aequians. The boundary between the Aequians and Romans ceased to be at Praeneste, and extended beyond it. Political relations in the ancient world change with extraordinary rapidity, as is most manifest in Arcadia, where the three principal tribes are in the end completely lost sight of. The union of Latium was dissolved, and a portion of the Latins along with Velitrae and Antium rose against Rome, and so also did Praeneste with a portion of the Aequians. The period of Rome's supremacy was gone, Veii alone was a permanent gain, and the Romans now admitted Etruscan places, which had already possessed the franchise without the suffrage, to the full privilege of citizens, and formed them into four new tribes, the number of which thus became twenty-five. Livy erroneously states that the new tribes were formed of those who revolted to Rome in the earlier wars: this is impossible, for the Romans always formed their new tribes of a much larger number of individuals than was contained in the ancient ones, since it was only in this manner that they could truly unite with them, and yet that the influence of the new tribes in the assembly might be limited, although individually all tribesmen were on a footing of perfect equality. I for my part am convinced that all these new tribes had formerly been sovereign towns with their territories. The territories of Veii, Capena, Vulturni, and others, undoubtedly acted

the part of mere spectators in the wars of their ruling towns, and surrendered to the Romans as soon as they appeared, without any resistance, because to whatever state they belonged their condition was equally good or bad : many also were neutral, as, under similar circumstances, we see was the case in the war between Spain and the Low Countries, with the towns of Brabant, which paid taxes to both the belligerent powers that they might remain unattacked. By the destruction of a town its territory became subject to Rome, and it was unquestionably to these people that Rome now granted the full franchise, and thus recruited the reduced number of her citizens. The Etruscan cities undoubtedly maintained a very passive attitude during this change. Rome was wise enough to grant to her new subjects the full plebeian franchise : her case was like that of Jerusalem when Ezra and Nehemiah returned from Babylon and rebuilt the city.

Plutarch and Macrobius mention a tradition respecting the reduced state of Rome, which, however, as reported by them, seems to be unhistorical. The city was yet without walls, when some of the neighbouring and very insignificant places, such as Fidenæ and Ficulea, appeared with their armies, and compelled the Romans to give hostages. But the hostages, instead of being noble virgins, were female servants ; and their leader, a Greek slave named Philotis, imitated the example of Judith, for while the troops were celebrating their unwonted success, and were intoxicated, she gave a signal to the Romans with a torch, whereupon they rushed forth and annihilated their enemies. This event was placed in the month of Quintilis, consequently four months after the evacuation of the city ; and the tradition shews at all events how much Rome was conceived to have been reduced.

After the formation of the four new tribes Rome had again an extensive territory, which formed the basis of her recovery. At the end of this period, affairs on the left bank of the

Tiber continued to be in the same state of dissolution as before. On the right bank all the territory belonged to Rome as far as Sutrium and Nepes, which were frontier fortresses, and beyond which the Ciminian forest was allowed to grow wild for the purpose of protection. Whenever *ager publicus* is mentioned at this time, it must be conceived to have been almost exclusively in those districts. The relation of isopolity probably existed only with the nearest Latin places, Tusculum, Lanuvium, and Aricia. I cannot here relate to you all the events of that period ; the detail would be entirely useless. Lectures like the present should only dwell upon events which are important in themselves and in their consequences. Livy's case was different, since he wrote for his own countrymen.

Of far more importance to us are the events which occurred in Rome itself. Avarice and usury were among the darling sins of the Romans ; and the less they were checked, the more oppressive they became. Had the system of usury not been so excessive, the revolution which now began would have been accompanied with less violence. A few years after the evacuation of the city, the distress was so great that Livy was ashamed to reveal it to the world, perhaps even to himself. M. Manlius rose to protect the unhappy. He does not derive his name Capitolinus from having saved the Capitol, but because he lived there ; for T. Manlius, probably his father, appears in the Fasti with this name twenty years earlier. The saving of the Capitol was not the only brilliant feat performed by Manlius. He was acknowledged to be one of the most illustrious military heroes ; and the fact of his name not being mentioned in the Fasti throws light upon his position. He is universally said to have had *consilia regni affectandi*, but Livy states that the annals contained no evidence to support this charge, except that meetings were held in his house, and that benefits had been conferred by him upon the plebes. It may be that he was indignant at the ruling

party, because he had not been rewarded for his service; but it is also possible that his great soul was stirred up by ungovernable ambition, and that he indulged in the hope of rewarding himself with a crown. All his actions were of a kind which the purest and most benevolent mind might have suggested without being under the influence of ambition. Citizens were every day assigned to their creditors as slaves for debt. Manlius paid for them what they owed, especially for old soldiers, and by the sacrifice of his whole property he restored them to their families. He is also said to have accused the patricians of having appropriated to themselves the money which had been recovered from the Gauls. This suspicion must have arisen from the imposition of the tax for the purpose of restoring the gold which had been paid to the Gauls, since the levying of a tax under such circumstances, though it was destined for the gods, was not free from harshness and fanaticism. Manlius, who thus gained immense popularity, became the object of the greatest hatred to the ruling body. Instead of profiting by his hint and relieving the distress, the patricians obstinately insisted on their rights, and thus arose a contest between beneficent ambition on the one hand, and the most stubborn oligarchy on the other, as in Ireland in the year 1822, where, when the cattle were bled, the poor fought for the blood in order to satisfy their hunger, and where the landlords nevertheless insisted on their legal claims. The natural consequence was a very general feeling, that any change would be better than such a government, and that Manlius as a usurper might be as useful as many a Greek tyrant. This state of things undoubtedly became very dangerous. When a government is in a bad course, and unwilling to retrace its steps, it drives men to sin, and has much to answer for before God and man. The Roman government was in this predicament, and ordered Manlius to be arrested; but this led to nothing, for a general sympathy manifested itself for him, who

until then had committed no crime. The plebes put on mourning, and assembled in crowds at the gate of his dungeon. The government therefore was obliged to set him free. It had acted rashly, and as Manlius was now provoked, it thought that he was sure to take wrong steps, and that it would thus obtain an opportunity of crushing him. Manlius had a difficult part to act. Under such circumstances men often begin their career with the purest intentions, but gradually fall into frightful aberrations. I believe that Manlius did not start with the idea of making himself the tyrant of his country; but when the men of his own order reviled him, and misinterpreted his pure intentions, the germs of his actions became poisoned, and this might lead him to the determination to set himself up as tyrant; but no evidence of that supposition is to be found. The tumult in the mean time increased, and Manlius, enraged, and proud because he had conquered, demanded that a portion of the domain land should be sold, and that the produce should be employed in paying the debts of the poor: a fair demand, as the state was the proprietor of the domain land. But the oligarchs were bent upon reserving the possession of it for themselves, and rejoiced at the wretchedness of the plebeians. The distress rendered the dependence of the plebeians very great. So long as the *præfectus urbi* had it in his power to assign a debtor to his creditor, every man was in danger of losing his freedom. It may be that dangerous thoughts gained from day to day greater ascendancy over the mind of Manlius, and thus at last the patricians ventured to accuse him. Two tribunes declared for the senate; and according to Zonaras, Camillus was appointed dictator for the occasion. Under the terrors of the dictatorship, Manlius was summoned before the assembly of the centuries, but no one dared to imprison him again. On giving security, he was allowed to retain the enjoyment of his liberty; and on the appointed day he appeared and defended himself, which is the

strongest argument for his innocence, since he might have withdrawn from the city. He referred to his great military achievements and services as a proof of his sentiments; he brought forward the spoils of thirty enemies whom he had slain, and forty marks of honour which he had received in war: he appealed to the citizens whom he had saved, and among them even to the *magister equitum*; he pointed to the Capitol, which could be seen from the Campus Martius—and the centuries acquitted him. But the oligarchy was not satisfied with this, and the senate summoned him before the curies (*concilium populi*), who as his peers were to try his case in the Petelinian grove, a fact which Livy and all his followers have misunderstood. As the *concilium populi* is rarely mentioned, Livy thought of a tribunician accusation; but at the same time he cannot deny that the patrician *duumviri* were his accusers. The meeting was in the Petelinian grove, not because the Capitol could not be seen from that spot, but because his enemies felt an aversion to pronouncing the sentence of death in the city, and yet were obliged to meet in a consecrated place. Manlius was condemned and thrown down the Tarpeian rock. This catastrophe, like the death of Sp. Cassius, produced for a few years a death-like stillness at Rome; but the patricians had nevertheless to atone for their crime, as was always the case, although the full vengeance did not fall upon them, for down to the time of C. Gracchus, who called the murderers of his brother to account,<sup>1</sup> the rulers who committed such a crime were not made personally responsible for it; and to this forbearance Rome owed the preservation of her liberty. From the blood of Manlius arose men whose object was not to avenge him, but to accomplish what he had desired. Licinius and Sextius had perhaps (nay

probably) been his friends, and his ignominious death gave them courage to defy all dangers in accomplishing their great work. Inspired by his example, they performed their task without shedding one drop of blood.

It was about ten or eleven years after the destruction of the city, that two tribunes of the people, C. Licinius and L. Sextius, placed themselves at the head of their order, with a firm determination to place at length the relation of the two orders on a just footing: it was not their intention that the patricians, as a distinct order, should perish, but the plebeians were to stand by their side with equal rights, and the state, according to the original idea, was to be a double state, of two perfectly equal communities. The military tribunes, according to our authorities, were again nearly always patricians, which is inconceivable: something must be wanting here; but the excerpts *De Sententiis* from Dion Cassius unfortunately contain nothing about this period. The patricians were satisfied with the military tribuneship, and did not want any consuls. There is a foolish story explaining the motive that induced Licinius to come forward in this manner; but it was easy for Beaufort to shew that it is nothing but a fiction. M. Fabius Ambustus is said to have had two daughters, the one married to the patrician Sulpicius, and the other to C. Licinius. Sulpicius was military tribune, and as usual returned home with the lictors; the younger sister was staying with the elder, and being frightened by the noise, was ridiculed by her sister, who said that it was natural to be sure that the noise should alarm her, since she was married to a man who could never attain to this honour. Beaufort has justly remarked that the children of M. Fabius Ambustus could not possibly be unacquainted with this mark of honour, and it is an equally unhistorical statement, that the younger Fabia entreated her father and husband to procure it for her also, inasmuch as the military tribuneship was open to the plebeians as much as to the patricians, and M.

<sup>1</sup> Mirabeau said at Marseilles in the year 1789, that C. Gracchus called to heaven to avenge the blood of his brother, and that out of that blood Marius arose; but Gracchus was an innocent and holy man, while Marius was a tyrant.—N.



Fabius Ambustus himself afterwards appears among those who lent a helping hand in the attempt to overturn the Licinian laws. The whole story is a miserable piece of scandal, invented by a party which was annoyed at the success of the plans of its opponents. The motives of men are often really despicable, but there is no reason for coming to such a conclusion generally, and we ought not to trace every thing great to mean and contemptible motives. Livy merely copied the tale from others, and in his haste and want of a vivid conception of the circumstances, he wrote it down, not intending to represent it as a real history, but only as a pretty story: his soul was pure and noble, and although his patrician predilections sometimes lead him astray, he nevertheless speaks truly when he says in his preface, that he was impelled by an irresistible power to search after that which was great in the early times.

But whatever may have been the occasion, the object was plain enough, namely to remove the existing abuses by a thorough reform. The reform proposed by Licinius and Sextius had two great ends; and to relieve the momentary distress was their third object. The first bill which they brought forward, ordained that no more military tribunes should be elected, but consuls, one of whom should necessarily be a plebeian. The patricians, notwithstanding their small numbers, were still predominant in the government, and for a long time endeavoured to prevent the passing of the bill, until in the end the matter was so managed that all their intrigues became useless: these very intrigues rendered it necessary to bring forward the bill in its absolute form. The tribunes could not have said that the worthiest should be elected from the two orders, for as the curies still had to sanction the elected magistrate, and could refuse their sanction to a plebeian, it was necessary to fix the appointment of one plebeian as indispensable. The division, moreover, was important for the patricians themselves, for as soon as the plebeians acquired

power in the senate, they would have elected two men from their own order. It was not till two hundred years later, that the plebeians actually acquired this preponderance, when the extreme diminution in the number of patricians became sensibly apparent, the patrician being to the plebeian nobility in the ratio of one to thirty. The second law established the principle that the plebeians should have a share in the possession of the *ager publicus*, as well as the patricians, and that, in accordance with the Cassian law, a portion of it should be given to them in full ownership, to indemnify them for the past; in future it was to be a rule that one part of it should always be assigned to the patricians as their possession, and another be distributed among the plebeians as their real property. No individual was to possess more than 500 jugera; the surplus was to be divided among the plebes in lots of seven jugera, and no one was to be allowed to keep more than a certain number of cattle on the common pasture, during the summer in the mountains, and during the winter in the meadows near the city. The third bill contained the temporary measure regarding the debts of the plebeians: the interest which had been added to the capital was to be cancelled, and the rest was to be paid back by three annual instalments, each year being reckoned at ten months, and undoubtedly without interest. This was indeed something like a general bankruptcy; but the matter could not be settled otherwise, and the creditors had assuredly made sufficiently large profits by their former usury. The tribunes in this case did for individuals, what Sully, after the unfortunate times of the League, did for the state, in diminishing the amount of debt; he cancelled the usurious interest already paid, and allowed the remaining capital to stand at the ordinary rate of interest. It was in consequence of this violent measure that France reached its high state of prosperity under Louis XIII., while previously the farmers of finance and the usurers had alone fattened upon

the marrow of the nation. There is no doubt that at Rome too, it was only the worst individuals that suffered by the law: a gentler remedy would have been desirable, but none was to be found, and without some remedy the state would have perished.

The patricians not only opposed these rogations with a fixed determination not to yield, but they also exerted all their influence at the elections, in order that the tribunes, who for ten years were re-elected year after year, might have opponents in their own college. The whole history of these occurrences

is buried in utter darkness, and we cannot say from what quarter the opposition came; nor wherein the difficulty lay. Whether the tribunes themselves formed the opposition, or whether the patricians contrived to produce indifference and hostility among the commonalty, or whether the laws were passed as rogations by the centuries, so that only the senate and the curies refused their sanction,—all these are questions which we cannot answer, but the state of things was probably different at different times.

## LECTURE XLVI.

OUR authorities state that the tribunes Licinius and Sextius, for the purpose of carrying their laws, opposed the election of new magistrates with such perseverance, that for five, or according to others for six years, no curule magistrates were elected. This is one of those accounts which we may often read, without being able at first to believe that they can be inventions; in all the *Fasti* we find five years, during which neither consuls nor military tribunes are mentioned, but only the tribunes of the plebes, Licinius and Sextius; their colleagues, who surely should have been recorded along with them, are not named. Such also was the case in Junius Gracchanus, from whom the statement was adopted by Joannes Lydus, but it is nevertheless false. There is no doubt that the tribunes for a time stopped the election of curule magistrates, whereby the *Fasti* were thrown into disorder; but what would have been the confusion, if this had happened for five successive years! Interreges were indeed sufficient for times of peace, but they could not have led an army into the field; and would the neighbours of Rome have left her undisturbed during such a state of internal dissolution? The story appears to have arisen in the first place from the certain know-

ledge that during the whole struggle the tribunes actually opposed the elections, and yielded only at times of the most urgent necessity, when a war absolutely demanded the appointment of curule magistrates; the periods therefore during which there were no magistrates were always short, the elections being only put off. In the second place, the ancients imagined that Rome was taken by the Gauls in the archonship of Pyrgion,<sup>1</sup> Olymp. 98. 1, as they read in Timaeus, whose statement they regarded as authentic, not considering that his knowledge of the fact was not as certain as his statement was positive. Fabius wrote his work fifty Olympiads later, Olymp. 148. 1 = A.U. 565 according to Cato; he knew very well how people then reckoned in Greece; and he also knew that two hundred years previously Rome had been taken by the Gauls: he accordingly calculated backwards, but the *Fasti* did not agree, six or seven years being wanting between the taking of Rome and the Licinian rogations; some time might be occupied by the interreges, who had supplied the place of consuls, but all

<sup>1</sup> Συμπαύεται σχεδόν ὑπὸ πάντων, says Dionysius; this *σχεδόν* proves that all were not agreed, and I believe that the excellent Cincius assigned it to a different year, perhaps to Olymp. 99, 1 or 2.—N.

the years could not be filled up in this manner. After the Gallic calamity, the consuls were elected on the kalends of Quinctilis, and in his time, perhaps on the kalends or ides of Augustus, for the elections always took place on one of these two days of a month; by this means the calculation of the years changed its starting point. The result is, that what is senseless, is also untrue, and the Gallic conquest must be placed considerably, at least four years, later than the date usually assigned to it. Now, the first authors who promulgated our account, certainly did not mean to say that, during five years, the tribunes were the only magistracy: they combined the Greek date and the Roman statements, but did not know how to find their way in the Fasti,—hence, in the Fasti of Varro, dictatorships are inserted, which are said to have lasted for a whole year, but they likewise are wrong; they arose merely from the shifting of the consular years;—the ancient authors then went beyond the restoration of the consulship in A.U. 388, fixed there the impossible anarchy of five or six years, and inserted the tribunes of the people, to whom however, instead of ten years, they assigned far too many. The interpolator found in the Fasti the title *tribuni*, without any further attribute to indicate the curule magistrates, and therefrom he inferred the opposition to the elections, which Livy has spun out so much.

There can be no doubt that during these contests the Roman magistrates were always military tribunes, and almost invariably patricians; on one occasion only half their number consisted of plebeians, and the presidents at the elections generally refused to accept any votes for plebeian candidates. The exasperation of the people rose from day to day, and went so far that in the end the outbreak of a civil war was feared. Under the dictatorship of Manlius the tribunes carried a law, which they had perhaps proposed along with others, that half the decemvirs, who were entrusted with the keeping of the Sibylline books, should be elected from the plebeians, in order

to prevent false assertions on the part of the patricians respecting the prodigies. Another great advantage was gained by the dictator P. Manlius raising a cousin of the tribune Licinius to the office of *magister equitum*: this was certainly in accordance with the ancient custom, for the plebeians too had their *equites*, and Brutus in his time had been *tribunus celerum*. When none of the tribunes made any further opposition, and the tribes had passed the rogation of Licinius, matters came to extremities, because the senate, consisting almost entirely of patricians, refused to give its sanction. The commonalty shewed much less obstinacy in endeavouring to carry the law respecting the consulship, which was of the highest importance to the plebeian nobility, than in passing the other laws. The senate here again tried its old tactics, attempting to get out of its difficulties by temporary concessions. But Dion Cassius relates that the tribunes of the people, in order to carry all their laws at once, combined them in one bill, and Licinius is reported to have said, that if they would not eat, neither should they drink.

In all free states there are families in which certain political views and principles are hereditary, for there a man is born in a political party as he is born in a particular church. Roman history furnishes many examples of this kind: the first tribune of the plebes was a Licinius; a Licinius was the first who led the people in their insurrection on the Sacred Mount; and 420 years later it was again a Licinius, who after the death of Sulla vindicated the rights of the tribuneship, so that the Licinii always remained foremost among the plebeian families. The same observation may be made in regard to the Publilii and Sicinii. It may at first seem a strange limitation of individual freedom to be thus dependent on the principles of one's forefathers, as if it were an external obligation, but a little experience shews that it is the foundation of the firmness and strength of a nation. But to return to our narrative: Licinius then combines his various laws that all might stand or fall at

once. Nothing is more glorious in Roman history than that the commonalty, though far superior to their opponents in strength and numbers, bore their machinations with the greatest composure and patience and without committing any illegal act, although the struggle lasted for a series of years.

The aged Camillus—he was now eighty years old—was appointed dictator: his blood had not yet been cooled, the ancient party-spirit and animosity still survived in him, and when called upon by his order he fancied he could do what was in reality impossible. The plebeians did not dare to resist the dictator, but with extreme wisdom resolved that if Camillus as dictator should undertake anything unlawful against them, they would accuse him after the expiration of his office and propose that he should be fined 500,000 *asses*. This declaration paralysed Camillus, and the senate was afraid to let matters come to extremities. Camillus found that he could do no more than Cincinnatus ninety years before, who had to avenge a disgraced son. The patricians began to reflect, and Camillus himself advising them to yield, made a vow that he would build a temple of Concord, if he should succeed in reconciling the two orders. This temple was consecrated, though not till after the death of the great man. The Romans of a later time thought its ancient magnificence too mean; in the reign of Augustus its place was supplied by another, and Trajan built a still more magnificent one instead of the second. Down to the year 1817 its site was sought for in a wrong place: it stood in a corner below the Salita which leads from the arch of Septimius Severus to the Capitol: several votive tablets were found there behind the church of S. Servius, which Pope Clement VII. erected on the site of a more ancient church. The pillars of the later temple were of Phrygian marble, wrought with extraordinary elegance. Trajan loved to dwell in past ages: he coined Roman denarii, bearing on one side his own head and

on the reverse the emblems of great families which had become extinct (for in the earlier times the right of coining was not an exclusive privilege of the state): and there still exist a considerable number of these *nummi restituti*. It was the same feeling which prompted him to restore the ancient temple of Concord, for the spot on which the golden age of Rome had begun was sacred to him as it was to his friends Pliny and Tacitus. Its site is now clear of rubbish and is a classical spot in Roman topography,—the symbol of a free and equal constitution.

The reconciliation was brought about in this manner: it was agreed that one of the consuls should be a plebeian and the other a patrician; the ancient consulship, however, such as it had existed previously to the decemvirate, was not to be restored, but the praefect of the city was to be a permanent and new curule magistrate under the name of *praetor urbanus*.<sup>2</sup> This *praefectura urbis* had existed even before the decemviral constitution, and was to have received a different character in that constitution; there were now many reasons for the patricians not allowing it to fall into the hands of the plebeians, because the whole possession of the *ager publicus* was dependent upon it. If for example a father bequeathed 400 jugera to his son, who already possessed 400 jugera, a conscientious praetor might take from him the 300 above the legal quantity; but if a praetor was determined to render the law ineffectual, he assigned the bequest to the son and would not listen to the charge that he already possessed more than the law allowed. In addition to this, it must be remembered that the laws were still under the superintendence of the pontiffs, and that accordingly the patricians, who alone were eligible to the pontificate, might say that they were exclusively entitled to be invested with the praetorship. Another no less important right of the praetor was that of appointing the

<sup>2</sup> This name was not devised to distinguish him from the *praetor peregrinus*, a point in which I myself was formerly mistaken as well as many others.—N.



judices. The *centumviri*, who were elected by the tribes, had to decide in questions of property, but all criminal cases were brought before the praetor. When the crime was a *delictum manifestum*, the perpetrator was dragged before his tribunal *oborto collo*, and the praetor at once determined the punishment; but when the matter was disputed, the praetor delegated a *judex*, and directed him to decide the case in this or that manner according to the result of the investigation; there is no doubt that he himself also might act as *judex*, but he alone could not possibly have managed all the cases that were brought before him. These *judices* or judges, then and for a long time afterwards, were chosen from among the senators; and hence it was of great consequence to the patricians to reserve for themselves the exclusive right to the praetorship. This circumstance also shews the importance of the measure brought forward by Gracchus. The patricians retained the possession of the praetorship for thirty-two years; but when a great portion of the *ager publicus* had passed into the hands of the plebeians, when consequently the praetor changed his character, commanded armies, and often performed the functions of a consul, the office could no longer be withheld from the plebeians. It should, moreover, be observed that the praetor was called the colleague of the consuls, and that he had six lictors, as the two consuls together had twelve.

It is further mentioned that the curule aediles were then for the first time appointed for the purpose of conducting the public games; the plebeian aediles are said to have refused to give expensive games for the celebration of the peace, and as some patrician youths generously undertook to do so, the new office is stated to have been instituted to honour them. Even in the first edition of my Roman history I showed the folly of this opinion; the curule aediles were neither more nor less than what the ancient *quaestores parricidii* had been: they brought public accusations before the popular courts in cases of poison, sorcery, and the like. Their

jurisdiction was quite different from that of the praetors, and when the law had not fixed a particular punishment for a crime, they determined the punishment according to the nature of the offence. On this subject the ancients entertained different notions from ourselves. I know the advantages of our own times, and he whose soul is completely absorbed in one period is not fit for any other. A person who looks with fondness upon past ages and would fain recall them, is not a *homo gravis*, but is diseased in his mind. I would rather see a man preferring the present to the past; but the legislative conceit of our age is very injurious, for legislators imagine that they can determine everything. I was once present in a country when the discovery was made that there existed a conspiracy of men who dug up corpses from their graves after they had been buried for many years, and as the law had made no provision for such a crime the monsters escaped with impunity. One year after the institution of the curule aedileship the plebeians gained access to it also, and for a period of 130 years there were alternately one year two patrician, and the next, two plebeian aediles. The *ludi Romani* were increased by a fourth day for the plebeians, who had before had their own games. From the statements made by Dionysius after Fabius at the end of his seventh book, it is clear that until the time to which those statements refer, the state had annually provided a large sum of money to defray the expenses of those games, but that in consequence of the unfortunate events in the first Punic war, the expenses were thrown upon individual citizens. The games were thenceforward given at the expense of individuals, and the curule aedileship became a *liturgy* in the Greek sense: the aediles obtained access to all the great offices, but in return they were obliged to defray out of their own means the expenses of the games.

The plebeian aediles were a general Latin magistracy, as is evident from the fact of their being mentioned as existing in Latin towns; but we can-

not say whether the curule aedileship had existed before as such a local magistracy among the patricians, or whether it was then newly created. These curule aediles have hitherto always been considered as a sort of police magistracy : it is true, to some extent they were so, and in so far they competed with the plebeian aediles ; but their real office did not consist in the superintendence of the corn trade, public buildings, and the like, in which they cannot be distinguished from the plebeian aediles, but they were the ancient *quaestores parricidii*, who instituted their inquisitions before the people, as I have proved by several examples. I suspect that the *triumviri capitales* were a detached branch of the aedilician power. The aediles had no lictors and no imperium. Now, how did it happen that these new magistrates were elected in the *comitia tributa* ? It seems probable that at

first they were elected alternately by the *comitia tributa* and *curiata*, and that the *comitia* which did not elect had to sanction the election ; but when the Maenian law reduced the sanction of the curies to a mere matter of form, the election was altogether transferred to the tribes. The inferior magistrates, such as the *triumviri monetales*, *quatuorviri* and others, were not instituted till after the Hortensian and Maenian laws, when the curies had ceased to meet, and the election was altogether transferred to the tribes. As regards the praetor, there can be no doubt that, like the consuls, he was elected by the centuries ; for it is said that he was elected *iisdem auspiciis*, and the auspices were taken only for the *comitia* of the centuries and curies. Thus the few points which are known help us in explaining what is mysterious in the history of the Roman constitution.

## LECTURE XLVII.

ACCORDING to Joannes Lydus (that is, according to Gracchanus), the government at the close of these disturbances was for a time in the hands of triumvirs. I shall endeavour to explain this elsewhere, but the fact itself is quite credible. The circumstance that Varro in his work inscribed to Pompey, *De Senatu habendo*, mentioned the *triumviri reipublicae constituendae* among those who had the right to convoke the senate, is a strong argument in favour of it : the later triumvirs probably adopted the title with reference to this early magistracy. I will however not deny that the first military tribunes were likewise called *triumviri reipublicae constituendae* in the ancient records.

When the Licinian laws were passed and the first plebeian consul had been elected, circumstances arose which threatened to throw everything back again into confusion, for the patricians refused to sanction the plebeian consul.

It was only with great difficulty that matters were settled : the patricians in the end yielded, and recognised L. Sextius as plebeian consul. In this manner the lawful and necessary revolution was brought to a close : it had proceeded like the normal changes in the human body when a youth passes into the age of manhood. We cannot wonder that the peace was not cordially meant ; the patricians yielded only to necessity, and with the firm determination to recover what was lost as soon as an opportunity should offer. The struggle was renewed about eleven years later, in A.U. 399 according to the Catonian era which is adopted by Livy also ;<sup>1</sup> the patricians again suc-

<sup>1</sup> Chronology is here very uncertain on account of the shifting of the time at which the magistrates entered upon their office ; it was not till the time of the Punic wars that the consuls regularly entered upon their office in spring, and during the latter period of the republic on the first of January.—N.

ceeded in obtaining possession of both places in the consulship, and continued the contest until A.U. 413, usurping during more than one-third of that period the consulship for themselves exclusively. But in the end they were obliged to yield with disgrace, and during the struggle itself they had to make concessions to the plebeians, which the latter would not have demanded with such vehemence, if the peace had been honestly observed.

The beginning of the period which now opens is marked by very few events; it may be, as Livy says, that no wars were carried on, in order not to give the plebeian consul any opportunity of distinguishing himself, but it is also possible that this is merely a conjecture of his. All the care of the Romans was directed to their internal affairs, for it is natural to suppose that the innumerable arrangements which the Licinian law rendered necessary engrossed all their attention. The whole of the *ager publicus* had to be measured and divided, a commission was engaged in regulating everything connected with the debts, and a variety of other business had to be settled. The general assignment of land to the plebeians must be regarded as the cause of the rebuilding of the city. We shall not easily find so speedy a recovery in history, for Rome appears regenerated, although almost every year is marked by wars: a part of the debts remained, and the law of *nexum* was not abolished, but it became less and less oppressive. The changes produced by the Licinian laws must have been much more extensive than we are aware, and the chest of the patricians now probably became the common treasury of the republic. The time was outwardly one of tranquillity, the Latins, separated from Rome, lived in peace, and none but isolated towns, such as Tibur and Praeneste, were hostile, and that more from mistrust than from any other special reason. The Tarquinians were the only enemies that really threatened Rome. In the year A.U. 393, thirty years after the first invasion, however, there appeared a new enemy at a distance, the Senonian Gauls.

Whatever is said of an earlier appearance of the Gauls is contradicted by Polybius, who mentions all their expeditions, and calls this one the first subsequent to the destruction of Rome. It appears that after that event the Gauls marched into Apulia, and there concluded a treaty with Dionysius of Syracuse; after plundering the country they returned to their own homes, the modern Romagna and Urbino. But a new host came across the Alps and advanced as far as the Anio. We must not suppose those Gauls to have been very warlike when they had the means of a peaceable existence. On the Anio, Manlius Torquatus is said to have fought in single combat with a Gaul, and to have taken from him a golden chain: this seems to be historically established, and we have no reason to consider it as a fable; a great battle was not fought there, and the Romans though prepared were now on the alert and cautious. The Gauls then fixed themselves in those parts, took possession of the Alban mount and the hills of Latium, and sallying thence laid waste the Latin territory; they advanced beyond Tivoli<sup>2</sup> into Campania, nay, according to one account, even as far as Apulia; they must consequently have subdued the Samnites, and have marched through their long and narrow territory, as the Romans did afterwards.

These occurrences, like the Volscian war a hundred years before, were followed by consequences which were highly advantageous for Rome. The Romans themselves, as well as the Latins and Hernicans, arrived at the conviction that by separation they were exposing themselves to great danger. There was no hostility between the Romans and Latins, but between the Romans and Hernicans there was an open war, in which the Romans may

<sup>2</sup> In the neighbourhood of Tivoli, I have discovered traces of several towns which are not generally known, and which may have been destroyed at that time. They are built upon hills in the form of squares, and exhibit no traces of having been surrounded by walls. They shew how small were the towns which were then scattered over Italy; they may have contained about fifty houses.—N.

have taken the strong town of Feren-tinum: the war ended in a restoration of the ancient relation. The statement that the Hernicans surrendered is false, for even half a century later they continued to receive one-third of the booty, or a compensation in money until C. Marcius subdued them. The Latins and Hernicans united with Rome, and a new state was formed, as Livy relates in two passages<sup>3</sup> without recognising the connection. There is every appearance that the Latins did not yet form a compact state: it was impossible for them to recover the position which they had formerly occupied, since a great many of their towns had been destroyed by the Aequians and Volscians, or by the Gauls. But the Volscians, their former enemies, were now likewise broken up into several states; the Antiatans seem to have stood by themselves, while other Volscian towns united themselves with Latium; they felt an urgent need of joining some other state, as they were hard pressed by the Samnites, who were making conquests on the Upper Liris, had taken Fregellae, and remained in the possession of Casinum. Thus a new Latin confederacy was formed, which was joined by the Latin colonies and a part of the Volscians, for the Romans seem to have renounced all claims to supremacy over the Latin colonies; and Sutrium and Nepes on the left bank of the Tiber likewise joined the Latin league. Forty-seven tribes, it is said, took part in the sacrifice on the Alban mount: a statement which must be referred to this time when Latium stood by the side of Rome as a powerful state. Another portion of the Volscians was admitted to the Roman franchise, apparently to form a counterpoise to Latium, for two new tribes, situated on the Volscian frontier, were formed, just as in the treaty of Spurius Cassius, the Latins had ceded to the Romans the Crustumian territory. The year A.U. 397 is thus remarkable

for the restoration of the ancient relation between Rome, Latium, and the Hernicans. Festus, in the article *Prætor ad portam*, which is derived from Cincius, speaks as if the Romans had always been in an equal alliance with the Latins ever since the fall of Alba. This is correct in regard to the periods from the peace of Sp. Cassius down to the year A.U. 290, and from A.U. 397 down to the consulship of Decius Mus, but the intervening period is overlooked. Cincius undoubtedly had the correct statement, but was probably misunderstood by Verrius Flaccus. The different times must here be very carefully distinguished; I myself have been in error for many a year in regard to this point.<sup>4</sup> A Roman and a Latin emperor had in alternate years the command of the united armies; he offered the sacrifice on the Capitol at Rome, and was saluted at the gate of the city.

The new alliance of the three states undoubtedly arose from a fear of the Gauls, who were very near, though they did not appear on the Tiber that year. It would be of no advantage to relate here the details of the war, you may read it in Livy, whose work you cannot study too much, both as scholars and as men who seek and love that which is beautiful. His faults, which we cannot deny, are like the faults of a bosom friend which we must know, but towards which we ought not to be unjust, and which ought not to disturb our feelings. It was a fearful time for the Romans; the struggle with the Gauls continued till A.U. 406 and 407; and Latium and Campania more particularly were for thirteen or fourteen years continu-

<sup>3</sup> Probably vii. 12 and viii. 6 and 8; but there are also some other passages in which this is alluded to.—ED.

<sup>4</sup> The triumph on the Alban mount which is first mentioned in the case of Papirius Maso, after the first Punic war, is commonly regarded as an arbitrary act of the generals, to whom the triumph at Rome was refused; but it assuredly was a recollection of the ancient usage, according to which the Latin commander triumphed on the Alban mount, and the Roman commander at Rome. At the time when there were no Latin generals, the emperor as general of the allies assumed the triumph on the Alban mount, when the honour was refused to him at Rome.—N.



ally ravaged by the barbarians. On one occasion they appeared at the Colline gate : the Romans successfully resisted them, or the fight remained at least undecided ; it was the same spot where afterwards Sulla defeated the Samnites, and is now within the city. It is a continuation of the Quirinal hill, which slopes downwards ; on the left side there is a deep valley, and where the Quirinal comes down to the plain, other hills again arise, over which run the walls of the city : it was undoubtedly on these latter hills that the Gauls and Samnites were encamped. Whoever of you has the happiness to visit Rome may heighten it by making himself acquainted with these localities.

One of the changes which were brought about by this new alliance with the Latins, is expressly mentioned by Livy, and was, that New Latium was governed by two *praetors*, whereas Ancient Latium had been governed by a dictator, as we know from Cato (in Priscian). An alliance between the Romans and Samnites, which is likewise mentioned by Livy, belongs either to this or to a somewhat later time. We may indeed suspect that such connections existed between the Samnites and Romans even at an earlier period ; but we cannot assert it with certainty, in consequence of the vagueness of a statement in Festus in the article *Numerius*. According to this passage, one of the Fabii, who after the battle on the Cremera was sent as a hostage to the Gauls, married the daughter of a Samnite of Beneventum. Now the connubium could not have existed without treaties. It is, however, possible that this relation existed only between the Sabines and Romans, and that the former transferred it to their Samnite colonies. There may have been two motives for forming such an alliance. If fear of the Gauls led to it, it must have been concluded between the second and the third expedition of the Gauls, that is, between the one to the Anio and the one to the Alban mount ; but according to a very probable conjecture, the alliance may have been the consequence

of a jealousy of the power of Latium ; for the latter country, by the addition of Volscians and Aequians, had become so powerful, that Rome had reason to be jealous. The Latins were in close contact with the Samnites on their frontier, and the latter were endeavouring to make conquests on the Upper Liris. Hence an alliance between Romans and Samnites was very natural : Rome and Latium were allied indeed, but without trusting each other. It is not necessary, however, to regard such a connection as a defensive alliance, of which, in fact, it bears no appearance whatever. It was a treaty rather than an alliance ; and we must especially remember, that such treaties in antiquity usually contained an honest clause, fixing a line up to which each party was to be allowed to make conquests. Such was the treaty of Rome with Carthage, that of the Carthaginians under Hasdrubal in Spain, and that of the Romans with the Aetolians. The moral reflections with which the division of the new world made by pope Alexander VI. between Spain and Portugal has been censured, are idle declamations ; for this division was nothing else than the fixing of limits to conquests which each party might make. In like manner, a boundary was fixed in the first real peace between the Romans and Samnites, and the fact of the limit not being determined with sufficient distinctness, gave rise to the second war.

Notwithstanding the general peace with the Latins, the Tiburtines acted in a hostile manner towards Rome. They seem to have formed an independent state, and took Gallic armies into their pay. A war with the Tarquinians led the Romans into Etruria along the sea coast. It was carried on with great exasperation. The Etruscans penetrated to the neighbourhood of Rome, but the plebeian consul, C. Marcius, completely defeated them, and compelled them to conclude a long truce.

The internal distress continued in consequence of the magnitude of the debts. One commission was appointed after another, terms were

fixed, and the state had again to interfere. The republic, which was now in the receipt of the tithes from the domain land, was so wealthy that it was in a condition to make some general regulation. The debts were examined by a commission, and all those who were involved, but could give security, received advances from the public treasury to pay their debts, a wise measure; for by paying back the capital the rate of interest was brought down, money accumulated greatly, and people were obliged to make the best use of it they could. On the other hand, it was determined that whoever had property should not be compelled to sell it, which would have lowered the price of land, but that he should be allowed to give up his property for the debt according to a fair valuation. In consequence of this measure the price of land necessarily rose, and the rate of interest again fell: the financial calculation was extremely wise and subtle. It produced permanent and excellent results, although fresh misfortunes were soon followed by fresh distress. Whenever the calamities of a period arise from extraordinary events, even the wisest ruler cannot prevent the pressure and misery that flow from it. The misfortune to which I allude is the third Gallic expedition in the year A.U. 405, which was far more formidable to Rome than the second. The Gauls appeared at the gates of the city, but the Romans did not dare to offer them battle. Their tactics were now greatly developed, yet they were wise enough to confine themselves to the defence of the city, although their territory was laid waste in consequence. The Gauls remained in Latium for a long time, and even during the winter. If we may believe the accounts of the Romans, the Gauls were in a situation similar to that of the Ostro-Goths under Radagaisus, whom Stilicho confined among the Apennines,<sup>5</sup> not far

from Fiesole. They are said to have withdrawn to the Alban hills, that is to Monte Cavo. It is indeed possible, but highly improbable, that they should of their own accord have gone to snow-covered hills. It is clear that L. Furius Camillus, a nephew, not a son of the great Camillus, marched out against the Gauls, and distinguished himself as a general. He was indeed an obstinate patrician, who violated the peace between the two orders; but he was nevertheless *bono publico natus*. We see that the Romans and Latins together sent a great army into the field. They formed ten legions, a number which could not have been furnished by the Romans alone. The campaign against the barbarians was conducted with great skill, for the Romans did not fight a battle, but threw them into extreme distress by means of entrenchments. The statement of a grammarian that the Gauls concluded a treaty with the Romans must probably be referred to this time. They were allowed to depart, and having spread over Campania and plundered it, they proceeded farther south.

Many important changes took place in the beginning of the fifth century. We find it mentioned as early as the year A.U. 397, that the tribes declared war. This right at first belonged to the curies, afterwards to the centuries, and now to the tribes. It was natural, that as the vital power of the state increased, the old customs should be set aside: as, for example, to stop the proceedings of the assembly in consequence of lightning, or because a bird of ill-omen flew by, and the like. Such things had hitherto prevented an army being formed, or any resolution whatever being passed by the centuries; and it was reasonable to transfer the declaration of war, and other important matters, to the assembly of the tribes, an institution which from the beginning had been conceived in a purely practical sense, and adapted to the actual wants of the community.

<sup>5</sup> Even now the name given by the peasants to these mountains refers to that Gothic period.—N. (Monte Sasso di Castro above Mugello is the mountain to the name of which Niebuhr here refers, according to a conjecture of the

Editor of the third volume of the Roman history, p. 79, n. 144.)

## LECTURE XLVIII.

THE extension of the rights of the plebeians is connected with the name of C. Marcius Rutilus, the first plebeian censor and dictator: he preserved the peace between the two estates; and in his case we perceive a change in the mode of electing a dictator which is alluded to by Zonaras, but entirely overlooked by Livy. Up to this time the dictator had always been elected by the patricians, that is, they elected one from among those candidates who were proposed, as is expressly attested by a passage in Livy; the last dictator elected by the curies was Sulpicius, for otherwise there would have been no reason to make particular mention of it. Livy merely copied thoughtlessly; he has many such statements, which seem superfluous, unless we know from other sources how to account for them. Three years later, we find a plebeian dictator whom the curies would never have sanctioned. The change consisted in this: the senate only determined that a dictator should be appointed, and the consul named him. This is also implied in the statement of Dionysius, which he applies to an earlier period, that the appointment of the dictator was for a time left to the discretion of the consul: I have sufficiently explained this subject in the first volume of the new edition of my Roman History. Thus in proportion as the curies lost power, the senate gradually acquired an influence which it had not formerly possessed. The traces of the very violent commotions which took place at that time, are much obscured, but a mention of them is preserved in Cicero, who relates that Popilius Laenas, in his consulship, quelled a sedition of the plebes, whence he received a surname. I place this consulship immediately before the election of the plebeian dictator. In the year A.U. 400 the patricians succeeded in setting the Licinian law at defiance, and continued

to do so for a few years. Another great change took place, by which the appointment of a number of tribunes of the soldiers was assigned to the tribes.

In regard to Etruria, it is related that in consequence of a truce the town of Caere was obliged to give up a portion of its territory; a war therefore must have taken place with Caere, which had never happened before; this war is commonly much declaimed against as being ungrateful on the part of Rome, since during the Gallic war, Caere had protected the sacred treasures of the Romans: but we know nothing certain about it.

We have now come to the time when, as Livy says, *majora hinc bella narranda sunt*, for large masses meet each other in the field, and Rome has to fight with a great people which showed a heroic perseverance, possessed great generals and excellent armour (which the Romans themselves adopted from them), and had all the political virtues calculated to render a nation illustrious in the history of the world. The struggle for life and death lasted for seventy years, and was interrupted only by treaties of peace or rather by truces. The Samnites show how much may be gained by a nation for its descendants by heroic perseverance, even when in the end it succumbs; for the lot of the Samnites was always more bearable than that of many other nations which were subdued by Rome. Had their descendants limited their wishes according to their actual circumstances, had they not aimed, though with great heroism, at impossibilities, and not given themselves up to antiquated feelings, they would not have perished, no not even under Sulla. At that time their fate was fearful; but only because they had ceased to take their own circumstances into consideration.

The great event which marks the

transition of Rome from the age of boyhood to that of youth, was the taking of Capua under its protection; but the account of this event is very obscure, and has moreover been falsified by the Romans themselves.

When in antiquity we hear of a colony committing acts of hostility against the mother country, we always think of rebellion and ingratitude: the ancients themselves, that is, our authors, see in such an insurrection the strife of a daughter against her mother. In some cases indeed this view is correct, but in most of them, especially in the history of Italy, the relation is quite different. We must remember how colonies arose, how a portion of the territory was set apart for and assigned to the colonists, the remainder being left to the ancient inhabitants, and how the colonists then became either the representatives of the ruling state, or, if they emancipated themselves, an independent sovereign power. The Romans always connected their colonies closely with themselves, and the same appears to have been done by the Latins. The Greek colonies have scarcely any resemblance to them in this respect. The Greeks mostly sent their colonies into desert districts, where they built new towns into which they afterwards sometimes admitted pale-burghers and aliens; but they remained quite foreign to the nations among whom they settled, as was the case in Libya, on the Black Sea, in Asia Minor, Thrace, Gaul and Spain. It was only the Pelasgian nations in Italy and Sicily that were akin to them, and hence the rapid growth of the Greek colonies in those countries. The cause of sending out a colony was usually of a political nature; it generally consisted of political malcontents or of the surplus of an over-populous place, and soon emancipated itself, retaining towards the mother-city only the duties of respect. The Roman colonies, on the other hand, were always in *patria potestate*, and were bound to perform certain duties.

The system of the Samnites, and perhaps of all the Sabine states, was

different. As they had a quite different religion, different fundamental forms of division, and different armour, so they had a different law in regard to their colonies also. Strabo mentions the tradition of the Samnites respecting their origin; they were descended from the Sabines, and found Oscans in the country which they conquered. That whole country was inhabited by Oscans, while the coast was occupied by the Pelasgians, who at one time, we know not when, spread over the mid-land district also. At first the Pelasgians probably dwelt from the Tiber as far as mount Garganus, but the Oscans, being pressed upon by the Sabines, spread from the mountains of Abruzzo over those districts, which the Sabines, the ancestors of the Samnites, subsequently occupied, and penetrated to the southernmost parts of Italy, destroying in their progress the original population. Their colonization, therefore, was undertaken, not like that of the Romans, with a view to establish their dominion, but in consequence of a superabundance and fulness of life, whence we nowhere find any trace of a connection between the Sabine colonies and the mother-people. Thus it was with the Picentians, the Marsians, Marrucinians, Pelignians, Vestinians, and also with the Samnites. The last-mentioned people consisted of four tribes which formed a confederacy, the Pentrians, Caudines, Hirpinians, and probably the Frentanians. The Frentanians were afterwards separated from the rest, and in their stead another canton, probably the Alfaterians, between Surrentum and the Silarus, was admitted into the confederacy. From the Samnites, again, other tribes issued, as the Lucanians; and out of a mixture of the Lucanians with Oscan and Sabellian adventurers and freedmen, there arose the Brutians. When the Sabines had established themselves in the middle valley of the Volturnus, they extended into Campania also, the most highly favoured country of Italy; an Etruscan colony had existed there ever since the year A.U. 280. The earliest inhabitants of that country were undoubtedly Tyrrhenians, whence



the origin of Capua like that of Rome was referred to the Trojans; the Tyrrhenians were subdued by the Oscans, and the latter again by the Etruscans: under the latter, Capua is said to have been called Vulturnum. The Oscan population must have been very numerous, for it gave a different character to the whole nation. But the greatness of the Etruscans lasted only a short time, for on the Tiber they were declining as early as the year A.U. 320, and consequently in Campania even much earlier. Now it is not surprising that Capua, a mere settlement of an oligarchic nation, could not maintain itself against a conquering people, as the subdued Oscans were not very zealous in the defence of their masters. The Etruscans in Capua, therefore, made an agreement, by which they admitted a Samnite colony, the *epoeci* of their enemies,—a foolish arrangement which we meet with very often in ancient history: in this manner the Amphipolitans admitted the Chalcidians, and the latter afterwards expelled the ancient Athenian colony: many similar examples are mentioned by Aristotle. Such towns, in which the ruling body of citizens consisted of different nations, rarely had the good fortune enjoyed by Rome, that their separate elements became equalized. The Samnites conspired against the Etruscans, and shortly afterwards, with a faithlessness and cruelty peculiar to all the Sabelian and Oscan nations, murdered them and kept the town for themselves. Three years later the Samnites spread as far as Cumæ, and conquered that city, which had long been the most illustrious place in Italy. The ruling population at Capua accordingly consisted at first of Etruscans, and afterwards of Samnites, but with a very numerous Oscan commonalty; for according to this system of colonization, a branch of the conquering nation received the sovereignty in the colony, one portion of the ancient inhabitants in the towns became clients, and the others remained free; whereas in the country, the population were made serfs as in the conquests of the Franks and Longobards. The relation of the Spanish colonies in

Mexico likewise is of a similar nature; for there too the ancient population has remained. Such was the condition of Capua. We are now told in Roman history, that the Campanians requested succour from the Romans and Latins against the Samnites; but how could this colony have fallen out with the mother people? This can be explained only in the following manner. The commonalty, consisting of Oscans who were kept in a state of dependence by the Samnites, gained strength and increased: and while the Roman plebes gradually became united with the patricians, the commonalty of Capua broke out in open rebellion and crushed the Samnite patricians. This was the cause of the enmity between Capua and Samnium, but the Samnites at Capua do not appear to have been annihilated, but only to have lost the government: they are the Campanian equites mentioned by Livy, to whom the Roman citizens paid an annual tax, either as a compensation for the *ager Falernus*, or as a reward for their fidelity to Rome. The Romans were fond of keeping dependent people under an oligarchical government.

The Samnites at that time extended from the Adriatic to the Lower Sea. No ancient author describes their constitution, and it is only from analogy and a consideration of particular circumstances that we can form the following probable conclusions. They consisted of four cantons, which constituted a confederacy, perhaps with subjects and allied places; and there is every appearance that all four stood on a footing of perfect equality. Each of these cantons was sovereign, but united with the others by a league which was to last for ever; in what manner the administration of the confederacy was managed we know not. The weakness of the Samnites, in comparison with the Romans, arose from the fact of their not forming a single compact state, as the Romans did from the time when the Latins came under their supremacy. It was only in times of war that they united, though they must have had a permanent congress; its nature, however, is entirely un-

known. Livy never mentions a senate of the Samnites; but Dionysius in his fragments speaks of their *πρόβουλοι*. They were probably the envoys of each tribe, perhaps similar to the *ἀποκλητοί* of the Aetolians; but whether these envoys had the right to decide upon peace and war, or whether a popular assembly met for that purpose, as in the states of Greece, is uncertain; if, however, the latter was the case, each tribe had a vote, for in voting the ancients never paid any regard to the accidental number of individuals<sup>1</sup> belonging to a tribe.

Latium received non-Latins into its confederacy; and in like manner Rome formed two new tribes out of the allied Volscians who lived near the Pontine marshes. At that time, therefore, Rome and Latium still acted in concord, each admitting a portion of the Volscians into its own confederacy and keeping the Hernicans apart. Now the relation existing among the Samnites was similar to that between Rome, Latium and the Hernicans, who were united, without any one of them having the supremacy, and had their common meetings; each of the Samnite peoples was sovereign, and united with the others only in regard to foreign countries. Nations which are threatened with destruction from without, scarcely ever rise to the healthy view that they must sacrifice the wishes of their separate elements in order to preserve their nationality: the people of Greece joining the Achæan league is the only instance of the true policy. At first the Romans and Samnites fought under equal circumstances, but the Samnites never saw the fundamental error of their con-

stitution. I have not the least doubt, that if they had reformed their constitution, and had instituted one senate and a popular assembly, the whole war would have taken a different turn. But as it was, the supreme command belonged to different cantons at different times; sometimes a measure was carried by Bovianum, sometimes by the Pentrians, and sometimes by the Caudines: now one people was attacked, then another; the chief command passed from one people to another, and was probably given to the canton which was most threatened at the time, in order that it might be able to protect itself. The supreme magistrate of the confederacy bore the title of *Embratur* (*Imperator*), which is often mentioned in inscriptions. It is probable that each canton also had its *imperator*, and that when a tribe had the chief command, its *imperator* became the *imperator* or perhaps *praetor* of the whole army. There is every appearance that their constitutions were thoroughly democratical, as might be expected among such mountaineers. They must have been completely amalgamated with the ancient population, since, even after the most fearful defeats, they always appear in large numbers and perfect harmony.

The extension of the Samnites towards the Liris was the circumstance which in A.U. 412 involved them in a war with the Romans. The Volscians were of no consequence: their power was broken, and they were for the most part allied or united with the Latins. The sway of the Samnites extended as far as Casinum, and they had subdued the Volscians as far as Sora and Fregellæ, though sometimes they evacuated those districts. But they had also spread as far as Apulia, and conquered a great part of that country, as for instance, Luceria. We thus see that they were a nation greater than the Romans and Latins put together, and that their country was equal in extent to half of the modern Switzerland. I have already mentioned their alliance or treaty with Rome at the beginning of the fifth century; but unfortunately such treaties are ob-

<sup>1</sup> This observation removes the difficulty, which would otherwise arise, in explaining how the majority could decide a point in an assembly in which only those persons voted who chanced to be present. Let us apply this to Rome: how was it that those who belonged to the very distant *tribus Velina* did not feel themselves wronged in comparison with the *Palatina*? The difficulty is removed, if we remember that each tribe had only one vote, so that on important emergencies the distant tribes sent their best men to the city, whereby the government became a representative one.—N.

served only so long as ambition and the love of conquest are not much excited. I have no doubt that the two nations had agreed not to extend their power beyond the Liris; but the Romans may have repented that they had fixed such narrow boundaries for themselves. Had the Samnites taken Teanum, they would have been masters of all the districts between the rivers, and have subdued the country as far as the Liris. Livy himself admits that the Romans had no right to form an alliance with the Campanians.

It is said that the Campanians became involved in war with the Samnites, because the latter attacked the Sidicines of Teanum:<sup>2</sup> the Sidicines probably belonged to the same race as the Oscans; they inhabited Teanum, but were perhaps not confined to that town. They first applied to the Campanians, because the latter were no longer the allies of the Samnites, and because the Campanian plebes could not but consider it an advantage to gain the Sidicines as a protection against the Samnites in the north. Capua ruled over a number of towns, all of which are said to have been Etruscan, though this is improbable; the territory over which its dominion extended was called Campania,<sup>3</sup> which was not the designation of the country which bears that name in our maps: it extended only a little beyond the Volturnus as far as Casilinum in the south, and Calatia and Saticula in the north; Nola, Neapolis, Pompeii, and Herculaneum did not belong to it; the territory therefore was small, and the name denotes only the domain of the citizens of Capua. In consequence of the fertility of their country, the Campanians were wealthy and unwarlike; they were anxious to prevent the attack of the Samnites, but being unable to resist the mountaineers, they

were defeated. The Samnites proceeded to Mount Tifata, above Capua, and laid waste the country all around. It was the ancient Oscan population of Capua that carried on the war in spite of the Samnite colony: their distress was very great, and it is likely that the Samnites contemplated restoring the oligarchical constitution of the colony: under these circumstances, the Campanians applied to Rome, or probably to the diet of the Romans, Latins, and Hernicans. This is evident from statements derived from L. Cincius; in Livy we perceive the intentional obscurity of the Roman tradition about it. The Romans themselves would have been greatly perplexed by this proposal, as they were allied by treaty with the Samnites; hence the Campanians placed themselves under the protection of the whole confederacy. This *deditio* must not be imagined to be that of a conquered people; for here we merely have one nation which seeks protection, and another which grants it. In such things the Romans were always hypocritical observers of the letter of the law, though in reality they might act in direct opposition to the spirit of the laws of Numa and Ancus; the only good result of this feeling was, that they always wished to have at least the appearance of justice on their side. We must not, however, on this account, consider the ancient Roman *fides* as altogether hypocritical, since their reverence for law certainly did keep them from many an act of oppression towards the weak. They may be excused by the consideration that, according to all appearance, the Samnites were becoming too great; it could be foreseen that, after all, the treaty would soon be violated, and hence they would not allow a favourable opportunity to pass by. The Romans, however, were too much tempted by the prospect of gaining the Campanians and all the people of that country by forming a treaty of protection with Capua. There is no question that they were not impelled by a desire to protect those who were in want of aid; they were overpowered by an evil spirit, and the

<sup>2</sup> The war between the Samnites and Sidicines shows that the dominion of the Samnites then extended as far as the upper Liris, so that its boundary in D'Anville is too narrow. —N.

<sup>3</sup> Campania is the country of the Campanians, that is, the inhabitants of Capua. On coins we read *Capani*, and in Plautus we find *Campas* instead of *Campanus*. —N.

exasperation of the Samnites against them was perfectly just. The Romans sent an embassy to the Samnites, requesting them to conclude peace with the Sidicines, and not to lay waste the Campanian territory because Campania had placed itself under their protection. The Samnites proudly rejected this proposal; and now arose their gigantic struggle against the Romans, Latins, and Hernicans.

This Samnite war is the first in Roman history that is worthy of being related; whatever deduction we may make from the numbers stated by Livy,—which we may do the more safely, as the person of whom these deeds are narrated is a Valerius, and Valerius Antias was a client of that family—yet the difference between these battles and the earlier ones is obvious. In the year A. U. 412, three battles were fought, the first great battles, excepting that of A. Postumius Tubertus, on Mount Algidus, that are recorded in Roman history.

In this year the Licinian law was violated for the last time: both consuls were patricians, A. Cornelius Cossus, of whom but little is known, and M. Valerius Corvus, a man in whose favour an exception might have been made at any time. He was, as Pliny justly remarks, one of the greatest and happiest men, and Solon himself would have admitted it. He is one of the historical heroes of Rome, although the story about the origin of his surname belongs to poetry (Livy himself does not consider it historical): but it proves that even as late as that time the heroes of Rome were the themes of song. No one will believe that in A. U. 406, a Gaul challenged the boldest Roman to a single combat, and that Valerius, then only twenty-three years old, conquered him, a raven flying against the enemy, and pecking at and tearing his face, so as to render the victory easy for the youth. His first consulship falls in his twenty-third year, the one in which he had slain the Gaul: it is probable that forty-six years later he was raised to his sixth consulship: he lived to nearly the age of one hundred

years, and saw the complete subjugation of Italy. At that time it was still a matter of frequent occurrence that men, after their consulship, were invested with the other curule magistracies; to these Valerius was repeatedly elected down to his latest days, and discharged the duties of all with the full vigour of his mind. He is the man who may give his name to the century he lived in; he was the idol of his soldiers, being not only one of the greatest generals, but swaying the hearts of his soldiers by his amiable and brotherly manners, without ever losing his authority over them: the soldiers saw in him the ablest of their equals. If we imagine ourselves placed by the side of his death-bed, and look back upon his life, full of important events, we shall have before our minds' eye a gigantic period which we cannot picture to ourselves with too much distinctness.

Rome sent two consular armies, one half consisting of Romans and the other of Latins, into Campania, which on the side of Samnium was quite open. Nola was even a Samnite colony, and Neapolis was allied with them. The two armies appear in entirely different circumstances. That of M. Valerius was in Campania, beyond the Vulturnus, and acted evidently quite on the defensive. The army of Cornelius Cossus, on the other hand, was destined to make a diversion into Samnium, Capua undoubtedly being the basis of that operation, since he penetrated into Samnium to the north of the Vulturnus, by the common road from Calatia to Beneventum. We cannot obtain a clear view of the events of the war, and can judge of their course only by drawing inferences from isolated facts. We find Valerius on Mount Gaurus, probably near Nuceria, so that the Romans entered Samnium on that side for the purpose of protecting Campania. There was another Mount Gaurus, not far from Cumae and Cape Misenum. If the latter is meant, the Romans must have been pressed by the Samnites into that corner, and having the sea and the



Vulturnus in their rear, their victory would have been the result of despair.<sup>4</sup> This would clearly show, that at first the Romans sustained losses which are passed over by Livy; or the annalists whom he followed; but, at all events, the battle restored the balance. It was obviously the greatest of all that had yet been fought by the Romans, for though previous battles may have been bloody, yet they were not carried on with perseverance. When the Gauls had fought for a few hours, and to no purpose, they gave up the battle; and the Aequians, Volscians, and Hernicans were few in number. The Samnites, on the other hand, were arrayed against the Romans in equal numbers, and possessed equal determination, and thus they fought the whole day till nightfall without any decisive result, until the Roman equites, the *principes juventutis* (the Samnites had no cavalry, and that of the Romans was weak), dismounted, placed themselves before the lines, and fought with true heroism. The real nobility of the nation put all the rest to shame, but the latter now followed their leaders, and were irresistible. The massacre was immense on both sides; the Samnites yielded, but only retreated. It was not a flight, but just as at Grossgörschen and Bautzen; and the conquerors followed them with the greatest caution. In the neighbourhood of Suessula, only a few miles from the battle field, the Samnites made a fresh stand. Their camp and the wounded, of course, fell into the hands of the Romans. The victory gave to the latter more hopes than real advantages; but the main point was, that the battle was a happy omen

for the whole war, which they had certainly begun with the prospect of a possibility of their being in the end completely annihilated.

The expedition of A. Cornelius Cossus into Samnium undoubtedly belongs to the beginning of the campaign. He seems to have been met by a general rise of the militia of the Samnites, whose general custom it was to act on the offensive with the army, and to leave their country to the defence of the people: the invading Romans had mostly to do with country people who rose in arms. Samnium was then in full vigour and strength; the Roman commander incautiously entered the hostile country, which was unknown to him, and very difficult to pass with an army. No enemy opposing him, he crossed from west to east the chain of mountains which runs from north to south. There were only a few passes: the first column was already in the valley, while the rear was yet on the ridge of the mountain—this is what we can gather from the confused account of Livy. The consul's intention probably was to reach the road to Beneventum and the fertile valley of the Calore, in order to separate the northern from the southern Samnites. When in this situation he observed that the opposite hill was occupied, he halted: to retreat through the defile was very difficult, and the Samnites were advancing to occupy a height commanding the road. The Romans were almost surrounded, for the Samnites were already engaged in taking possession of the road in their rear. While the Romans were thus situated, the tribune, P. Decius Mus, who belonged to one of the greatest plebeian families, offered to the consul to hasten up the mountain with one cohort, and to take possession of the height which the Samnites incautiously had just abandoned, so that he could attack them in their rear, and sustain the shock of the enemy, until the Roman army should reach the ridge of the mountain through the pass. This plan was carried into effect. Decius reached the height which

<sup>4</sup> In his *Hist. of Rome*, iii. p. 119, Niebuhr speaks with much more confidence in favour of the second view; but it must be observed, that that passage, with the same words, occurs also in the first edition (1812), whereas the opinion expressed in our text, is that given by N. in his lectures of 1828-9. The detailed description of the battle, however, belonging to the year 1826, is based upon the explanation which he had given at an earlier period. We make this observation to prevent misconceptions.—Ed.

commanded the pass before the Samnites, who were now obliged to try to dispossess him; but he there fought with his men like the Spartans at Thermopylae, in the conviction that they must die, and with such perseverance that the Samnites gave up the attack for that evening. While the Romans retreated to the road which had been abandoned, the Samnites encamped with the determination to storm the height the next morning. The battalion of Decius, however, was quite surrounded; but in the night he ventured to sally down the hill, and forced his way through the enemy, and thus with the survivors of his band, he returned to the consul. It is stated, indeed, that on the day following the Romans again won a great victory, but we cannot trust the account. The army of Cossus is not after this time mentioned: he had probably become aware of the perilous

nature of his expedition, or he was called into Campania, because some loss had been sustained there. On Mount Gaurus Valerius was alone, but at Suessula we find the two consuls united: those enemies who followed the march of Cossus joined the Samnites. Both were encamped opposite each other for a long time, but the Samnites being superior in numbers, considered their cause too safe. Their commander cannot have been a man of much talent; they ranged over the country, indulging in plunder, especially as Valerius in his fortified camp seemed to show symptoms of fear. When the Samnites were thus scattered, Valerius suddenly attacked their camp and took it; he then quickly turned against the separate corps and routed them one after another, so that both consuls gained a brilliant victory and were honoured with a triumph.

## LECTURE XLIX.

THE Romans now experienced that times may be bright and prosperous, although a heavy pressure is weighing upon the people. Ever since the Licinian law, the misery of the mass of the citizens continued uninterrupted, and ever and anon new commissions were appointed to liquidate the debts, but without any good result. The wars demanded very heavy taxes, and the plebeians were obliged to fight in the battles, and at the same time to provide for their families: we have reason to believe that not half the men capable of bearing arms remained at home; and so bloody a war as that against the Samnites must have caused severe sufferings to many a family. In the second year of the war, when either the Latins had the supreme command, or, perhaps, a truce existed between the Romans and Samnites, a mutiny arose which very nearly came to an insurrection. Livy is obscure on this subject, but an excerpt of Constantine

from Appian, in which we distinctly recognise Dionysius, throws much light upon it. The insurrection of the year A.U. 413 was brought about by the state of the debtors; Livy conceals this, and relates that, while the Roman army was encamped in Campania, probably in consequence of a truce, the soldiers were tempted to make themselves masters of Capua. The Roman consul who undertook the command and found the army engaged in a manifest conspiracy, endeavoured to get rid of the ringleaders by sending them one by one in different directions, and then ordering each to be arrested. This mode of acting however excited their suspicions, and one cohort which was sent to Rome halted near Lautulae, between Terracina and Fundi, four or five miles from the former, in a desolate district between the hills and the sea, which was at all times the haunt of robbers and banditti. The hills there approach the sea almost as

near as at Thermopylae, though they are not so steep: it is quite a narrow pass by which Latium and Campania are connected. There seem to have been warm springs in this place, so that even in the name there is a resemblance between it and Thermopylae. The country is now desolate, and when I was at Terracina I forgot to enquire for the springs, in consequence of which I was not able to find them. In the second Samnite war a battle was fought near Lautulae, which is one of the greatest battles recorded in history. When the cohort reached that place, it revolted and was joined by a number of others; the communication between Rome and the head quarters of the army was cut off; the messengers of the consuls were intercepted, and we must suppose that the whole army refused to obey its commanders. A number of persons who were enslaved for debt attached themselves to the insurgents, and what now happened was more terrible than any thing which Rome had yet experienced, for the insurrection became general, and the common people marched against the city in arms, though they did not injure the consul. This multitude was no longer the plebes of the Sacred Mount: it was an insurrection of the proletarians against the rich, and very like a revolt of the workmen in a factory against their employers. But fortunately for Rome, they were not yet quite impoverished: they still looked upon themselves as plebeians, and upon the most distinguished among the plebeians as their leaders, so that the latter might make use of them in reforming the constitution. It is surprising to find that they fetched T. Quinctius, a lame and aged patrician, from his estate in the territory of Alba, and made him their captain, just as the peasants in the peasant-war of Germany made Götz their leader: they then advanced towards the city, which was thrown into great alarm by the approaching danger. The government no longer knew in whom to trust: everybody in the city armed himself as well as he could; but the civic legions would

scarcely have been able to maintain themselves against the army. The heart of Valerius Corvus was bleeding at the prospect of a civil war; the plebes too was fortunately not quite demoralised; and he made an offer of reconciliation. The army likewise was moved; when they saw their relations armed in the city, they raised loud lamentations and were willing to listen to proposals of peace: both parties were loth to shed the blood of their brethren. The consequence of this moderation on both sides was a reconciliation, and a peace was concluded in which, according to Appian, that is, Dionysius, the debts were cancelled.

The cause of the insurrection, as it is described in this account, is in the highest degree improbable; the sending away of individuals could surely have lasted only a very short time, and it is quite inconceivable that a whole cohort should have been thus disposed of. The other account does not speak at all of an insurrection of the soldiers, nor of their intention to take Capua, but represents it as an internal commotion, as a secession, like those of the commonalty in former times, and as having arisen out of the distress of the numerous debtors, and the disputes between the patricians and plebeians, since the Licinian law had ceased to be observed. The plebeians seceded to the neighbourhood of Alba, where they were joined by cohorts from the army. The senate, it is said, levied troops, but there is no mention of the two armies having met, nor of the appointment of Valerius to the dictatorship of which Livy speaks: when matters had proceeded so far as to call for the interference of the sword, both parties determined to put a stop to the dispute at any cost.

These occurrences were followed by a great and essentially civic legislation, by which that of Licinius was completed. Whatever may have been the real history of this commotion, it must, at all events, have been more important than Livy's description would lead us to suppose. Up to that time the Licinian law respecting the consulship had been violated seven times in the

course of thirteen years; but henceforward we hear of no more actual violations, although some absurd attempts still continued to be made. During that commotion some regulation must have been made which rendered it impossible for any attempts against the Licinian law to succeed; and clauses must have been added, perhaps as severe as those in the *lex Valeria Horatia*, by which the heaviest penalties were inflicted on him who should disturb the election of the tribunes of the people. It is, moreover, said to have been determined that both consuls might be elected from among the plebeians, but this seems to be a misunderstanding, and it can at any rate be proved that no such regulation was carried into effect. In the Hannibalian war, a special resolution was once passed that during the war both consuls might be elected from among the plebeians, but no practical application of this resolution was made, and it was not till the year A.U. 580, that the natural principle gained the upper hand; the patrician nobility had then become so insignificant, that it was impossible any longer to abide by the law of Licinius.

Another regulation mentioned by Livy is of great importance, and shews that the question was no longer merely about the difference between the two estates, but that the plebeian nobles had begun to have recourse to the oligarchical intrigues, which until then had been employed by the patricians alone, a proof that the one set of men was not better than the other. The law in question established two points, first that no one should hold two curule offices at the same time, and secondly that a person invested with a curule office should not be re-eligible to it till the expiration of ten years. The first provision could affect only the patricians in regard to the praetorship, and was probably made because it had often happened that a patrician consul had at the same time caused himself to be elected praetor, in order to obtain an influence over his colleague; in regard to the aedileship, it may have affected the ple-

beians also in alternate years. Livy says that the law was mainly directed against the *ambitio novorum hominum*; the second provision of the law had probably been brought about by the plebeians themselves, as a security against the overwhelming influence of members of their own order, for up to that time we always find the same plebeian names in the consulship, such as Popilius Laenas, C. Marcius, C. Poetelius, so that it was intended to prevent the exclusive lustre of a few plebeian families.

Livy was aware of the existence of two laws respecting military affairs which arose out of this insurrection. The first enacted that whoever had once been a tribune of the soldiers should not afterwards be made a centurion: it is said, that this law was enacted through the agency of a certain Saloni-  
 us who had been thus degraded by his enemies. The consuls had it in their power to appoint the centurions: when a person had been tribune, it was contrary to the feeling of the soldiers that he should become a centurion, because a centurion was only a subaltern officer. Six of the tribunes were annually appointed by the tribes, and the rest by the consuls, but a person could not be elected for two successive years by the same authorities. During the year in which he could not be tribune, he would be free from military service. Now Saloni-  
 us, who had been tribune, and in that capacity seems to have been in opposition to the consuls, was appointed centurion by them: the consuls thus degraded him while he was raised by public opinion, and it was against such proceedings that the law was directed. The regulations about the corps of officers are among the most excellent adopted by the Romans. Slow and gradual advancement and a provision for officers in their old age were things unknown to the Romans. No one could by law have a permanent appointment; every one had to give evidence of his ability; the idea of a gradual rising from the ranks and of a standing corps of officers was never entertained: a tribune of the soldiers



was elected for one year only, and if he shewed no skill he was not re-elected; but he who was fit was elected year after year, sometimes by the people, sometimes by the consuls. It was, moreover, not necessary to pass through a long series of subordinate offices; a young Roman noble served as eques, and the consul had in his cohort the most distinguished to act as his staff; there they learned enough, and in a few years a young man, in the full vigour of life, might become a tribune of the soldiers. But besides this, due attention was paid to that respectable class of people who without talent for higher posts were well fitted to train the soldiers. Such persons became centurions, who may be compared to our sergeants; all of them were people of common descent, they had good pay and a respectable position, and in special cases where a man shewed particular ability he might become tribune. All the functions which, in modern armies, are performed by a large number of subaltern officers, might just as well be performed by an able sergeant. The military regulations of the Romans in all these points, are as admirable as those concerning the training of the individual soldier.

The second law shews how Livy confounds everything: the pay of the equites is said to have been diminished because they had taken no part in the insurrection. If the mutineers could have carried such a law, the state would have been lost. I believe that this was the time when the equites ceased to receive their 2000 asses from widows and orphans, and when it was established that they should have a fixed pay,—a fair change, but a disadvantage to the *equus publicus*; fair, I say, because the state was able to bear the expense.

The curies, assembled in the Petelinian grove, now decreed a full amnesty for all that had occurred, and no one was to be upbraided, either in joke or in earnest, for his conduct. Livy considers it to have been a decree of the centuries, *auctoribus patribus*, but from the trial of Manlius it is clear, that

only the curies assembled in the Petelinian grove.

Hereupon the Romans concluded peace with the Samnites: even the year before, they had received from them a compensation for pay and provisions, or they received it now. The peace was concluded by the Romans alone, and that with a bad intention, for they had undertaken the war conjointly with the Latins, whom they now left to shift for themselves. They gave up Capua to the Samnites, and left the conquest of Teanum to their choice, but the Sidicines threw themselves into the arms of the Latins, and concluded a separate alliance with the Volscians, Auruncans, and Campanians. Such things have occurred in modern times also, as, for example, the alliance between Prussia and Russia under Frederick the Great, and Peter the Third, in the Seven Years' War. The Latins now continued the war *suo Marte*, which Livy, in accordance with his peculiar views, regards as an act of injustice on their part, as if they had thereby offended against the majesty of the Roman people. They made war upon the Pelignians, from which we see that the Aequians belonged to them, since otherwise they could not have come in contact with the Pelignians: the latter allied themselves with the Samnites, and the Samnites required the Romans either to act as mediators, or to give them succour; for the peace with them had immediately been followed by an alliance. The alliance of Rome with the Latins and Hernicans had now come to a crisis; the Hernicans were either neutral, or, as is more probable, were still allied with the Romans, since Livy and the Capitoline Fasti do not mention them among those who triumphed over Maenius. Such confederacies may exist among nations, none of which is as ambitious and as powerful as Rome then was: but now three things were possible; they might either separate and remain friends, or form a union like that of Great Britain and Ireland, or lastly, decide by force of arms which was the strongest; for to continue together,

side by side, was impossible. Even the year before the war had not been carried on in common, and the Latins had gone into the field under their own banners. Hence it was now resolved to negotiate. The Latins had a more solid constitution than the Samnites, and were governed like the Romans; they had two praetors as the Romans had two consuls; and they must have had a senate, since there is mention of the *decem primi*, who were evidently the deputies of so many towns. These *decem primi* went to Rome, and there made the very fair proposal that the two states should unite. The senate was to be raised from 300 to 600; the popular assembly was to be increased (so that it would probably have been necessary to increase the twenty-seven Roman tribes to thirty, and to allow the Latin towns to vote as so many tribes), Rome was to be the seat of the government; and every year one of the consuls was to be a Roman and the other a Latin. Had the Romans accepted this proposal, Rome and Latium would in reality have become equal; but every Roman would have felt his own influence weakened. A Latin consul was repugnant to the Romans; for in all republics, however democratical they may be, there is a spirit of exclusiveness, of which we have a striking example in the history of Geneva, where we find *citoyens*, *bourgeois*, *natifs*, that is, the children of the metoeci or *habitans*, and lastly *habitans*, all of which classes acquired the franchise one after another. The Canton of Uri is the most oligarchical of all. The plebeians as well as the patricians were indignant at the proposal; as there was to be only one Roman consul, the question would have arisen, is he to be a patrician or a plebeian? they would more easily have adopted a proposal to have four consuls. The embassy of the Latins, as Livy says, was received with general indignation, not because the Romans were ignorant that the impending struggle would be a contest for life and death, but because vanity and selfishness outweighed this consi-

deration. It is related that the consul, T. Manlius, declared that he would cut down with his own hand the first Latin that should appear in the Roman senate. The story, moreover, has this poetical addition, that while the discussions were going on in the Capitol, there arose a tempest, accompanied by a heavy fall of rain, and that the Latin praetor, in descending the hundred steps of the Tarpeian rock, fell down, and was picked up a corpse; the unpoetical spirit of later narratives has changed his death into a fit of fainting.

The Sabines with their ancient reputation for justice had sunk into a torpor and had lost all importance; the northern confederacy of the Marsians, Pelignians, Marrucinians and Vestinians, brave as they were, had no other wish than to live quietly among their mountains. The Romans were allowed to march through their territory, and as they were allied with the Samnites, the latter expected that the Latin war would afford them an opportunity of taking Capua and Teanum. If the Romans had dreaded to allow their territory to be ravaged by the Latins, they would have been obliged to maintain themselves on the defensive, or to carry on tedious sieges of the Latin towns. But the Roman commanders here shewed their greatness: they formed a most masterly plan, made up their minds to the very boldest undertakings, called out the army of reserve in the city, and abandoned their territory up to the very gates of Rome to the Latins. Their army marched through the Sabine and Marsian territory, taking a circuitous route in order to join the Samnites, and in conjunction with them proceeded towards Capua. If the Latins had abandoned the Campanians to their fate, and had gone to meet the Romans on their march, in the country of the Aequians, they might perhaps have defeated them in those impassable districts. But a great general places his enemy where he wishes to have him: the daring boldness of the Romans is a proof of the excellence of their generals, Manlius and Decius, who, like all great

generals, had formed a correct estimate of their enemies, and trusting to the accuracy of their estimate, ventured to lead their army by that circuitous road. Had the Latins moved rapidly, they might have laid waste the whole Roman territory, appeared at the gates of Rome eight days before the Roman army could have returned, and effected an easy retreat to their fortresses; but the Roman generals probably knew that their enemies were timid and without great leaders, and therefore left the road to Rome unprotected. The Latins listened to the complaints of the Campanians, and perhaps imagined that the Roman army might be annihilated then at one blow, since it could not return. Their forces justified them in this expectation, and the decision of the contest hung upon a thread; for there was as much probability of their conquering as of being conquered. The Romans undoubtedly had enlisted all the men they could muster, but they were, notwithstanding, inferior to the Latins in numbers: it is quite certain that they were joined by the Samnites, though the Roman annals endeavoured to conceal that fact by stating that the Samnites did not arrive till after the battle. The Latins and their allies, the Volscians, Aequians, Sidicines, Campanians, and Auruncans were encamped on the eastern side of Mount Vesuvius; it is uncertain whether Vesperis, where the battle was fought, is the name of a place or of a river. The two armies faced each other for a long time, dreading the day which was to decide their fate. If the Latins had had an able commander they might, even after a defeat, have been better off than the Romans, as they might have withdrawn to Capua, and protected themselves behind the Vulturius and Liris, and there collected reinforcements from their own country. The Romans, moreover, in a military point of view were not superior to the Latins; one Roman and one Latin century had always formed a maniple in the Roman legion, so that the constitution of the two armies was the same. Under these circumstances, the consul forbade,

under penalty of death, all skirmishes, on account of the importance of the moral impression that might thence result, trifling events easily producing a prejudice regarding the issue of a battle, and not on account of the acquaintance of the Roman soldiers with the enemy, as Livy states. In like manner, it was forbidden in the Russian army to accept the challenge of the Turkish spahis. The stricter the command was, the more did the Latin horsemen provoke the Romans,<sup>1</sup> and this gave rise to the single combat between Geminus Metius of Tusculum and the son of the consul Manlius. This occurrence is beautifully described by Livy, with the heart of a Roman and the power of a poet: the father in order to enforce obedience ordered his unfortunate but heroic son to be put to death. There is yet another circumstance which Livy mentions but cursorily:<sup>2</sup> there can be no doubt that in the ancient tradition there was, besides Manlius, a centurion who gained the victory for the *pedites*, as the son of the consul did for the *equites*.

The long time which passed away before the battle began is a decided proof that the Samnites joined the Romans. Both parties commenced the fight with sad forebodings; and the two consuls, moreover, had had a vision prophesying a disastrous issue by informing them that one army and the commander of the other were forfeited to the gods of the dead: the two consuls therefore agreed that the commander of that wing<sup>3</sup> which should first be in danger should devote himself to the infernal gods. Each of them offered up a sacrifice: that of Decius was unfavorable, but that of Manlius

<sup>1</sup> The Roman cavalry was always the worst part of the army, and inferior, for example, to that of the *Ætolians*.—N.

<sup>2</sup> viii. 8; towards the end.—Ed.

<sup>3</sup> It is a general mistake of modern writers to compare the *cornu dextrum* and *sinistrum* with arrangements of our own armies, and consequently to suppose that there also existed a central battalion (*corps de bataille*); but a Roman army consisted only of those two halves (*cornua*). All modern writers on tactics, with the exception of Guischard, are mistaken on this head.—N.

promised success. It is mentioned on this occasion, as on many others relating to sacrifices, that the liver had no *caput*: the caput is the same thing as in Italian is still called *capo*, that is, the part where the liver is connected with the diaphragm; and the *caput* being wanting means that there was no trace of the connection. The liver presents the greatest varieties, even in animals which are perfectly healthy. The heart and lungs afford no means for forming prophecies, while the liver in almost every case has some abnormality. Decius, then, went into battle with the intention of sacrificing himself; but the resolution must have been made even before he left Rome, since the pontifex accompanied him for the purpose of dedicating him to the gods.

The Roman legion at that time consisted of five battalions, *hastati*, *principes*, *triarii*, *rorarii*, and *accensi*. Among them were three battalions of the line, mixed with light-armed troops, and one battalion of light troops, the *rorarii* with one third of the *hastati*. Nearly two thirds of the *hastati* had, from the earliest times, been armed with lances; the *principes* had *pila* as early as the time we are here speaking of, but the *triarii* still had lances. These formed the troops of the line; but the *ferentarii* were light troops with slings, and one third of the *hastati* also were light troops armed with javelins. They were placed in front at the beginning of a battle, just like the *ψιλοί* of the Greeks, and afterwards withdrew through the lines, and placed themselves behind them, but always advanced again as soon as the enemy retreated. These three battalions stood in single maniples with intervals, as at Zama, but cannot possibly have been drawn up *en echelons*, since so large an interval in one line as that described by Livy is practically impossible, for the cavalry would immediately have broken through it; they were probably drawn up in the form of a quincunx, and in this manner the intervals may be conceived. Now as all the Roman military arrangements were calculated to support the

efforts of individuals as long as possible, and not to form solid masses like those of the Greeks, the first two battalions were drawn up as near as possible to the enemy, and under the protection of the light troops. Every Roman soldier was perfectly trained in the art of fighting. According to later regulations, the soldiers began with the pilum. The Roman soldiers were drawn up in ten lines with large intervals, and when they were drawn up close the first battalion advanced, stopped, and then threw the fearful *pila*, which penetrated through the coat of mail, and of which each soldier had several. After the first charge, the soldiers who had first thrown the *pila* retreated two steps, while those who stood behind them advanced two steps, and occupied places in the line by their side; the first line then withdrew and formed the tenth line, and thus all the ten lines had their turn for making use of their *pila*. This mode of attack, which is the only true and possible one, was formidable for the enemy. If we consider this quiet mode of advancing and retreating, we can understand why the battles lasted so long, and why the combatants did not at once come to close quarters; one hour must undoubtedly have elapsed before all the *pila* were thrown, and then the fight with swords began, during which the lines again took it in turns: those who stood behind were not idle, for when the foremost fell or were fatigued, those in their rear advanced and took their places; and thus a Roman battle might have lasted a long time. To fight successfully in such a battle the soldiers must be trained and drilled in the excellent manner of the Romans: the dust and the war-cries were not disturbing as smoke and the thunder of cannon. When the *hastati* had done fighting, they withdrew behind the *principes*, who then commenced: when they were overpowered, they fell back upon the *triarii*, who at that time formed a kind of reserve, which, however, was obliged to take part in the fight. Besides these four battalions, the three battalions of the line, and the one with



light armour, there existed a fifth, consisting of the *accensi*, who were without armour, and whose business it was to step in and take the armour of those who had fallen; the *accensi* and *velati* were the two centuries that were added to the fifth class, but did not come up to its census. It is clear that Manlius in that war did something which had never been done before: he armed the *accensi*, made use of them instead of the *triarii* to strengthen the lines, and reserved the *triarii* for the decisive moment, and by this means he saved himself. Livy states that the Latins mistook the *accensi* for the *triarii*, which is impossible; but the *accensi* likewise may have been armed with

spears and have advanced as phalangites. The Latins followed their old routine, and their battle-line consisted of the most ordinary elements. The wing commanded by Decius fought without success and the Latins conquered, whereupon Decius ordered himself to be devoted to death by the pontiff M. Valerius. This devotion inspired the whole army with fresh courage, and was at the same time believed to have a magic effect upon it, since the consul had atoned for the whole nation, which was now considered invincible. Hence, as tradition states, fate turned all at once: the legions rallied and gained the most complete victory.

## LECTURE L.

IF Rome had succumbed in this war, the whole Roman army would have been annihilated; but the Latins could not have derived the same advantages from their victory as were gained by the Romans: as Latium itself had no unity and was without a great central point, the sovereignty of Italy would have been undecided between it and Samnium. There is every probability that Italy would then have fallen under the dominion of foreigners; it would perhaps have become a permanent prey of Pyrrhus or of the Carthaginians, and the Gauls would have ravaged it incessantly. Had the Italian nations been wise, the same state of things might have been developed as we afterwards find in existence, but it would have taken place without violence and destruction. Rome conquered Italy, but this subjugation is nevertheless the most desirable thing that could have happened to Italy.

The defeat of the Latins in the battle described in the previous Lecture must have been complete, and so decisive, that all were seized with a panic. Capua evidently submitted at once, and the defeated did not even

attempt to protect themselves behind the Vulturnus, but at once retreated across the Liris. Notwithstanding the general flight, however, a new army formed itself at Vescia, an Ausonian town near the Vescinian hills, and probably the modern S. Agata di Goti; there are indeed no ruins, but many sepulchral monuments; it is situated on the natural road from the Liris to the Vulturnus, the mountains being on the left of the road to Naples. The flight of the Latins therefore cannot have been as disorderly as Livy describes it. There the survivors assembled and were reinforced by the contingents of the ancient Latin and Volscian towns; the Volscians on the sea-coast and the Liris, the Auruncans and Sidicines, that is, the whole country between the Liris and Vulturnus, was united, and offered a final battle to the Romans near Trifanum, on the Liris, between Sinuessa and Minturnae. The Romans immediately, and even before completing their march, attacked the enemy, and gained a decided victory, but with great loss: this second defeat of the Latins completed the destruction of all their resources, especially as they

had the broad Liris in their rear. The contingents dispersed to their respective homes in order to defend them. The Romans made immediate use of their success, and advanced through the territory of the Latins towards Rome. Now whether, as Livy relates, Latium was completely subdued as early as that time, or afterwards, cannot be determined with any certainty, for the Latins again appear as enemies in the following year. There are many circumstances in antiquity of which we can say, that they must have been such or such; but this is not the case with events which are accidental: *le vrai n'est pas toujours vraisemblable*. I will therefore not assert positively whether the Latins, in their first consternation, laid down their arms and afterwards took them up again. But however this may be, the senate pronounced the sentence, and with lofty confidence in the certainty of success resolved that the *ager publicus* of the Latin state, the Falernian district of the Campanians, and part of the *ager Privernas* (Privernum seems not to have joined the Latin league) should be confiscated and assigned to the plebeians *viritim*, that is to every one who wore the *toga pura*; assignments beyond the Vulturnus would have been of no value to the Romans. The allotment, however, was made on a small scale, owing to the plebeian nobles having intrigued with the patricians against the multitude. An annual revenue of 450 denarii was assigned to the Campanian equites, probably as a compensation for the *ager Falernus*, and this sum had to be paid by the commonalty of Capua; it has already been observed that these equites consisted of the Samnites of the ancient colony, who, anxious for their own interest, had not taken any part in the war. In the year following, the Latins again appeared in arms, probably because the Romans, after receiving their *editio*, had driven them to despair by the fearful punishment inflicted upon them. We know, from several examples, with what cruelty the Romans acted towards a revolted people, witness Pleminius at Locri, in the Hanni-

balian war; hence we may imagine that the garrisons of each town were allowed every possible license, and such a place had to suffer all the horrors of a town taken by the sword. The Romans now made war against the Latins from the nearest points of their own territory: the insurrection existed only in the ancient Latium proper, at Tibur, Praeneste, and Pedum on the one hand, and at Aricia, Lavinium, Antium and Velitrae on the other; Velitrae was originally Latin, afterwards Volscian, and in the end it received a Roman colony; Tusculum and Ardea were Roman. These places form two masses, each of which endeavoured to defend itself. The two consuls Ti. Aemilius Mamercinus and Q. Publilius Philo fought against them. Publilius had frustrated an attempt of the Latins to maintain themselves in the field;<sup>1</sup> while Aemilius besieged Pedum. There the Tiburtines, united with the people of Pedum, had fortified themselves, and the year passed away without any success. For reasons which are unknown to us, a dictator was now appointed; and Aemilius took this opportunity of conferring that dignity upon his colleague Publilius.

There now followed a cessation of hostilities, whether in consequence of a truce or from other causes, is utterly unknown, and a course of internal legislation to curtail the rights of the patricians engrossed every body's attention: this was the necessary result of circumstances, and does not deserve the blame which Livy attaches to it. The first law enacted, that henceforth one of the censors should necessarily be a plebeian; this had in fact existed even before, for we know that C. Marcius was the first plebeian censor; but it now became law, and was always observed: the second enacted that bills which were to be brought before the centuries should previously

<sup>1</sup> In one of the MSS. we find in *Campis Tinetanis* instead of "in the field;" but this has evidently been entered after the Lecture by a student who had left a gap during the Lecture, and Niebuhr probably alludes to the *Campi Fenectani* mentioned by Livy.—Ed.

be sanctioned by the patricians, whatever decree the centuries might think it right to pass. Formerly the consuls had the initiation in legislation; afterwards the praetor also had the same privilege, since he likewise might preside in the senate and make proposals, his power being an emanation from that of the consuls; but the aediles, though they had the *sella curulis*, did not yet possess this right. A resolution passed by the senate on the proposal of a magistrate was not yet law, but had to be brought before the centuries and then before the curies; this mode of proceeding arose at the time when the comitia of the centuries were instituted. The senate was formerly a patrician committee, and even now the majority was undoubtedly patrician, though the plebeian element was already very strong. One hundred and ten years had elapsed since the decemvirate, and during that period many patrician houses must have become extinct, and others must have passed over to the plebes. From Von Stetten's history of the noble families of Augsburg we see, that out of fifty-one families, thirty-eight became extinct in the course of 100 years, and that even then the surviving families made the same claims, which a hundred years before the fifty-one families had been unable to establish. There was accordingly no reason for leaving to the patricians of Rome the *veto* which they had had before; and its abolition saved a great many unnecessary disputes. The more the patricians became reduced in numbers, and the more the ground tottered under their feet, the greater was their jealousy and the ill humour which they introduced into the most important affairs of the state. The change made by Publilius, therefore, was very reasonable and necessary. But nothing was ever formally abolished at Rome; when old institutions were no longer found useful, they were allowed to continue to exist as forms which could do no harm. Hence it was now enacted, that whenever the senate was going to pass a decree, the curies should sanction it beforehand. It is probable that this

sham sanction was given, as in later times, by the lictors who were employed to represent the curies. The third law was, *ut plebiscita omnes Quirites tenerent*, and as I have explained before, affected such resolutions of the government (*ψηφίσματα*) as were to be sanctioned by the tribes instead of by the centuries. This, too, was a mere matter of form, for whenever the tribunes, who had previously consulted the consuls, were agreed among themselves, the plebes never refused their sanction.

The following year, A.U. 417, was decisive, the army of Pedum with its neighbours and the inhabitants of the sea-coast being completely defeated by L. Furius Camillus and C. Maenius, and Pedum being taken by storm. C. Maenius is described by the ancients as the man who brought about the decision of the war: he gained a victory on the river Astura, the site of which is unknown; a place of that name was situated between Circeii and Antium. It is quite certain that Maenius conquered the enemies on the sea-coast, and Camillus those in the interior: and an equestrian statue was erected to the former as the conqueror of the Latin people. Henceforth no Latin army appeared in the field, and each of the towns capitulated for itself. Livy's account of this seems to be extremely satisfactory, and the difficulties involved in it escaped me for many years; but if we compare it with other authentic statements, it is by no means really satisfactory; for he assigns some events to too early a time, others are passed over, others again are described very vaguely, and lastly he makes no distinction between the free and the dependent municipium. Hence our knowledge of the relations of the Latin towns to Rome is very imperfect. The whole of the Latin state was broken up; but the Roman senate determined to preserve the separate towns and render them subservient to the interests of Rome: a plan which was carried out in different ways but with extraordinary wisdom. Tusculum had from early times been in the enjoyment of the Roman franchise,

though not in its full extent, but now its inhabitants received the full franchise; which was conferred upon the inhabitants of Lanuvium and Nomentum likewise, who thus became full citizens like the Tusculans, their population being entered in the census lists as plebeians, and admitted into the tribes: the Tusculans were incorporated with the *tribus Pupinia*,<sup>2</sup> the Lanuvians and probably the Veliternians were formed into a new tribe, apparently the Scaptia; whether the people of Nomentum constituted the *tribus Maecia* is uncertain. The Aricines, too, are mentioned by Livy among those who received the franchise; but according to an authentic account, they were, even some years later, in the condition of a dependent municipium. In this manner the places above mentioned attained great honours, and no town produced so many illustrious plebeian families as Tusculum, though it was quite a small place; I need only mention the Fulvii, Porcii, Coruncanii, Curii, and others:<sup>3</sup> certain places are particularly celebrated for the number of great men they have produced. At Lanuvium there was scarcely more than one family that acquired any celebrity.

Other Latins likewise became citizens but not *optimo jure*, and this is the beginning of the class of citizens *sine suffragio*, which afterwards greatly increased and acquired a peculiar importance. The isopolites of the ancient times were municipes, and when they settled at Rome, they might exercise all the rights of Roman citizens, their position being similar to that of the citizens of the territory of Florence, previously to the year 1530. Those places which had received the *civitas sine suffragio*, now stepped into this relation of isopolity. There was this difference, that formerly those only were municipes, who came to Rome, but whose native place was perfectly independent in its political relations with neighbouring communities: this

now ceased, and the separate towns which became municipia were perfectly dependent in all their foreign relations, whence Festus in his definition makes them form the second class of municipia. Such municipia had the connubium with Rome and their own magistrates; their inhabitants might acquire landed property in the territory of Rome, but were quite dependent upon Rome, like a son adopted by *arrogatio*, or a woman *quae in manum convenerat*; and in their relations with others they had no *persona*. Their rights in regard to Rome were rights of conscience on the part of the Romans; they might acquire the Roman franchise by being personally admitted by the censors, but not being contained in the tribes, they did not serve in the legions: they were however obliged to furnish troops, not as allies (*socii*), but as *Romani* in separate cohorts. We may now ask whether they were required to pay the tributum, that is whether in case of the levying a tributum being decreed at Rome, they had to pay according to the Roman census; and whether they had the right of sharing with the Roman people burthens and advantages, or whether their census was taken in their native places; the latter is probable, because they furnished and paid their own troops, and because the tributum was connected with the tribes. There cannot of course be any doubt as to their obligation to contribute. They unquestionably had a share in the public land, and whenever the Romans received a general assignment, those places too had a district assigned to them, with which they might do as they pleased. In this manner only can we conceive how Capua, after the war of Pyrrhus, could acquire such an extensive possession.

The decision of the fate of Latium was an important epoch to the Roman state, for it gave rise to an entirely new class of municipia. The consequence was that many Romans purchased estates in those districts; but an inconvenience soon arose, inasmuch as these Romans had to submit to courts of justice composed of people

<sup>2</sup> Also *Popinia*; see Festus, s. v. *Pupinia* tribus, p. 233 ed. Muller.—ED.

<sup>3</sup> This is a remark of Cicero.—N.



who ranked much lower than themselves. This was afterwards remedied by the institution of a *praefectura*, which the ancients, and especially Livy, misinterpret, as if the *praefectures* had kept those towns in a complete state of dependence, whereas their real object was to administer justice to those who were full citizens of Rome. Such places were called *fora* or *conciliabula*, which is the same as what is called in America a town-house in any particular township : they were both markets and places for the administration of justice. A Roman, for example, who bought a slave at Capua according to Capuan law, had no right to call the slave his own at Rome ; but when the purchase had been made in the presence of the prefect and according to Roman law it was unassailable.

The fate of the other Latin towns was very severe. The ancient senators of Velitrae, probably of Volscian descent, were led into exile beyond the Tiber, together with a large number of their fellow citizens, and a new colony was sent to Velitrae. A port colony was established at Antium ; its inhabitants received the inferior Roman franchise, and the Roman colonists by settling there entered into the same relation. The Antiatans were deprived of their armed ships (*interdictum mari*), for the Romans hated piracy ; and this was the easiest way of getting rid of it, it being indifferent to the Romans whether the commerce of the Antiatans suffered or not. Among the remaining places the *conubium* and *commercium*, as well as the common diets (*concilia*), were forbidden, just as in Achaia, Phocis, and Boeotia. No person belonging to one place was allowed to purchase land in another ; but each town had its fixed burthens, so that if in one of them, in consequence of any calamity, the price of landed property fell, the distress was very great, for the people of that place could sell only among themselves or to Roman citizens, the *commercium* existing with the Romans alone. This was the cause of the decay of those places, for as Romans settled in them the dis-

tress became greater and greater, so that some of them entirely perished. Praeneste and Tibur alone maintained themselves : they were *agro nullati*, but in the time of Polybius they again appear in possession of the ancient *jus municipii*. From Livy's account it might be inferred, that the ancient alliance with the Laurentines had been preserved ; and it is very possible that the same was done in the case of Praeneste and Tibur, so that they would have retained the right of *municipium* although their domain land was taken from them. Both possessed large and fertile territories, and must have had great vital power and energy : Praeneste tried more than once to shake off the Roman yoke. The punishment of isolation was also inflicted on all those places which at the close of the fourth century were in alliance with Latium ; it extended moreover to the Aequians, who had undoubtedly been members of the Latin confederacy. The *concilia* remained forbidden, for the *feriae Latinae*, formerly the general diet, became a mere shadow, a *conventus* (*πάρηγυρις*) for the celebration of the games.

Henceforth the Romans applied this system wherever they wanted to break a conquered people, as they afterwards did in Achaia. The towns thereby became entirely separate ; the feeling of unity died away, they looked upon each other as strangers, and such a separation is usually followed by hostile feelings, as in Southern and Northern Dithmarsch. The Romans were obliged to have recourse to this Machiavellian system, as they placed no garrisons in the towns. It was in this manner that the grand duke Peter Leopold of Tuscany, who kept no troops, separated his subjects and thereby demoralised them.

The Latin colonies, it appears, were separated from the rest of Latium, whereas they formerly had been more closely connected with Latium, and were not in any direct relation with Rome ; they now became a peculiar class of subjects, which had not hitherto existed at all. From this time forward Rome founded Latin colonies on her

own account, and they deserve the admiration with which Machiavelli speaks of them, for they were the invention of great political tact. They were increased to the number of thirty, just as there had formerly been thirty Latin towns. The origin of these colonies was in the contract between the two nations: a district conquered by both in common used to be divided between them; but districts which could not be thus divided, were set apart for colonies. Rome indeed founded several colonies of her own, which received Caerite rights, but the former were called Latin colonies: Romans might settle in them, but they thereby stepped out of their tribes, though they might re-enter them whenever they pleased. Afterwards these colonies joined the Latin towns, and the thirty Latin places mentioned by Dionysius before the battle of the lake Regillus, were unquestionably the places named in the treaty of peace between Rome and Latium; some of them were those towns which are said to have been founded by Tarquinius Superbus as Latin colonies, and which occur as such in the Hannibalian war. Now there can be no question that the Romans who had thus joined the Latins, obtained the equal franchise. The number of citizens in the Latin colonies was much greater than in the Roman ones. At a later time the Italians were admitted to a share in these colonies, and they sometimes obtained a portion of the domain land, so that the colonies became the great means of spreading the Roman dominion; and the Latin language, being the political language of the Romans, suppressed and supplanted that of the ancient inhabitants. They were from the first dependent upon Rome, and without any bond of union among themselves. Until the downfall of Latium the number of Latin colonies was insignificant, but from that time they began to increase. The inhabitants of all these places were bound to serve in the Roman armies, and Rome prescribed to them what numbers they had to furnish; they were one of the principal means of the success of the

Romans in the wars against the Samnites, for the Romans surrounded themselves with these colonies as with frontier fortresses. Several thousand men had a district assigned to them with the obligation of maintaining it; any Roman who wished to go out as a colonist, might do so, and others were added from Latium and other districts. The laws to be observed were prescribed by the Romans: the ancient inhabitants remained as a commonalty and undoubtedly formed the majority of tradespeople, but in a comparatively short time they became amalgamated with the colonists, and these germs grew into a lofty tree. At first Rome established such colonies on the Liris in Campania, they were then extended into Umbria, and continued to be pushed onwards. This two-fold manner of founding colonies and conferring the franchise, sometimes with and sometimes without the suffrage, was the means whereby Rome, from being a city, became a state comprising all Italy. The colonists paid no personal taxes, which devolved entirely upon strangers, they only paid the tax of the *ager ex formula*.

The revolution which arose out of the conquest of the Latins was immense in regard to its consequences: even two years before, the destruction of Rome by the Latins was not an impossibility, but now her power was strengthened by those resources of Latium which had not perished in the struggle: but for the reasons already mentioned, the period which now followed was for most of the Latin towns, a period of decay.

Among the Campanians, likewise, the Romans produced divisions: they distinguished the Campanian *populus* (the equites who received compensation) from the plebes. The relation in which they stood to the Hernicans was not altered, or if it was altered, the latter had received a compensation in money in the victories of the Romans. Capua, Cumae, Suessulla, Atella, Fundi and Formiæ became free municipalities, that is, isopolite towns, and the Romans accordingly recognised, at least nominally, their perfect equality.

## LECTURE LI.

OUR accounts do not enable us to form a clear idea of the internal condition of Rome: the war had cost her such heavy sacrifices, that, though her dominion extended from Sutrium and Nepes as far as Campania, the bleeding and exhaustion still continued for a long time: this renders the tranquillity which now followed quite intelligible, for all felt the want of peace.

In the year after the decisive victory over the Latins (A.U. 418) the praetorship was divided between patricians and plebeians, on condition that certain forms should be observed, and from this time forward the praetorship, generally speaking, alternated between patricians and plebeians. This can be historically demonstrated: deviations from the law do indeed occur, but only serve to explain the rule. Q. Publilius Philo was the first plebeian praetor, and there may perhaps have been some connection between this law and the three which bear his name. When the second praetorship, commonly called the *praetura peregrina*, was added, one was always held by a patrician, and the other by a plebeian, just as afterwards when the number of praetors was increased to four, two were taken from each order. But when their number was raised to six, the equal division could no longer be kept up, because the number of the patricians was ever decreasing. This law was the completion of the legislation of Licinius, for now the two orders were really placed on a footing of equality: great was the progress which had thus been made; for the fact that the patricians still continued to choose the *interreges* exclusively from among themselves was a matter of no consequence. The repetition of the *interregna* at this time shows indeed that the patricians still indulged in dreams of evading the law, for the charms of what they wished to gain increased as the number of those who laid claim to it di-

minished; but these attempts do not appear to have called forth any violent reaction: the power of circumstances and truth was irresistible.

Abroad Rome had no important wars to carry on; a trifling one which broke out at this time was welcome to them, its object being to complete the compactness of their state as far as the Liris and Campania. The two banks of the Liris were inhabited by Auruncans (the Greeks call them Ausonians, and so also does Livy when he follows Greek authorities, such as Fabius or Dionysius), an Oscan people. During the Latin war they had sided with the enemies of Rome, but afterwards they had submitted as subjects, and now were under the protection of Rome. The conquest of the Sidicines had been left by the Romans to the Samnites, but an arrangement seems to have been entered into, by which the Samnites allowed the Sidicines to continue to exist, in order not to lose the barrier between themselves and the Romans. This created a jealousy between the Romans and Samnites, and it could not in fact be otherwise: the Samnite conquests in those districts had been the main cause why the Volscians attached themselves to the Latins and afterwards to the Romans; for at that time the Samnites were more dangerous to them than the Romans. Napoleon once said in a diplomatic discussion: "*il faut de petits états entre les grands*," and on the same principle the large states allowed the small ones to make war upon one another, because this might lead to events calling for their powerful interference. These small states were, so to speak, "*pour les coups d'épingles qui précèdent les coups de canons*." The Sidicines united with the Auruncans of Cales attacked the other Auruncans, and this led the Romans to march against them. The latter carried on the war with great prudence; they conducted it with luke-

warmness, for it was anything but their interest to press the Sidicines, lest they should throw themselves into the arms of the Samnites. They took Cales, which is situated between Teanum and Casilinum, and established a strong colony in the place. Their system now was to establish themselves by means of such colonies in the country between the Liris and Vulturnus, so far as it was not already occupied by the Samnites; and this system they followed out with great zeal and success: the colony of Cales connected the ever suspected Campania with the dominion of Rome herself. A second colony was founded soon after at Fregellæ, which became so remarkable in the seventh century for its pride and its misfortunes; it was situated on the spot where the Liris is crossed by the Latin road which leads through Tusculum to the towns of the Hernicans, and thence by Teanum to Capua. The establishment of this colony was a true usurpation: the Samnites were masters of the country as far as Monte Casino, they had there subdued the Volscians and destroyed Fregellæ; by their treaty with Rome they were permitted to make conquests in those districts, and even on their abandoning them the Romans had no right to take possession of them. The Samnites had also taken Sora, and they had undoubtedly established themselves there with intentions just as ambitious as those of Rome. The Romans concluded a treaty of isopolity with the Caudines, and yet both nations were convinced that a war between them was unavoidable. Under these circumstances, the Romans unquestionably adopted the same fluctuating policy which renders the history of the sixteenth century so interesting; the truth being: "*il y a trois sortes d'amis, ceux qui nous aiment, des amis indifférens, et des amis qui nous détestent.*"

It is certainly not a mere accident, when we observe in history that at certain times similar changes take place in countries far distant from each other: these changes in the one which produce a new state of things, cannot be the result of the changes in the

other, because they occur simultaneously and in different countries; we recognise in them the hand of Providence, which guides the fate of men and the development of all nations as one great whole. The destruction of the Latin confederacy and the extension of the power of Rome is an epoch of that kind, and is quite similar to the period about the close of the fifteenth century. It is of great interest to compare the two periods: it is as if the stages of development through which particular countries and nations can pass by themselves had come to an end, and as if all their circumstances were to be changed by new relations; for on such occasions we find nations joining one another which had never before been in contact, and states which till then had been most prosperous, begin to decay as if the autumn of their existence had set in; the spirit of the most eminent nations becomes extinct never to return: a change manifests itself in inclinations and tastes, and in the whole of the ordinary and daily habits of life; nay even the physical nature of man undergoes alterations, for new forms of disease make their appearance. Such was the case about the end of the fifteenth century, for then the prosperity of the Italian cities disappeared, just as at the time of which we are now speaking, the states of Greece fell into decay. The very things which had been the cause of the prosperity of Greece, the equilibrium of the many small states, became the cause of her decay, no one single state being powerful enough to maintain the independence of the whole. The circumstances of Italy in the fifteenth century were of precisely the same kind, for Florence and Venice stood by the side of each other with equal power, and if Venice had been strong enough to rule, a new and more beautiful order of things would have been the result. The battle of Chaeronea and the destruction of the Latin league occurred in the same year; and this simultaneously shows us the hand of Providence that rules the affairs of the world according to its own counsels.



The Romans and Samnites were apparently equal to each other, and there were reasons for believing that a struggle between them would lead to the destruction of both, so that foreigners or barbarians would reap the advantages; for in the north the Gauls were already masters of a great part of Italy, and in the south the Carthaginians were threatening. Timoleon, it is true, had a short time before checked the extension of their power in Sicily, but they were already masters of Sardinia with the exception of one mountain, and it was impossible to prevent them from acquiring sooner or later the islands of Sicily and Corsica. There was accordingly every appearance that after the mutual destruction of the Romans and the Samnites, Italy would be divided between the Gauls and Carthaginians.

Until then no political relation had existed between the Greeks and Romans; but an intercourse with the inhabitants of Magna Graecia and the Siceliots seems to have been maintained: I believe that even the literature of Magna Graecia exercised a much greater influence upon the Romans than is commonly supposed, and at that time a knowledge of Greek was probably nothing extraordinary at Rome. Granting that Pythagoras did not become a Roman citizen, since, perhaps, he is not even an historical personage, yet the Romans were at an early period acquainted with the Pythagorean philosophy and entertained a veneration for it. Connections with the Greeks of neighbouring places are often mentioned; Cumae afforded ample opportunities, and the Sibylline books existed at Rome as well as at Cumae. The first embassies to the oracle of Delphi are fabulous, but there can be no doubt that the Romans did consult that oracle. The connection of the Romans with Massilia at the time of the Gallic conquest, and with the Lipariots, the guardians of the Tyrrhenian sea against the pirates, are the only other facts relating to the intercourse of the Greeks and Romans which we know for certain: all the rest is fabulous. But the first political

affair in which the Romans as a state came in contact with the Greeks, belongs to this time; for the treaty with Massilia was probably nothing but a commercial treaty, as I conclude more particularly from the circumstance that Massilia and Carthage were hostile to each other on account of the fisheries, as Justin relates; by which we must understand either the coral fisheries on the coasts of Africa, or the tunny fisheries on the Italian shores. The inhabitants of Provence, throughout the middle ages, were in possession of the coral fisheries on the coast of Africa. The first political connection between the Romans and the Greeks was the treaty between Rome and Alexander, king of Epirus; for the Epirots may be regarded as Greeks, since notwithstanding their Pelasgian origin they had become Hellenised. Alexander had been invited to come to Italy by the Tarentines in the year A.U. 420, or Olymp. 112.

The glory of Magna Graecia had already disappeared; and most of the Greek towns, as Posidonia, Pyxus, Caulonia, Hipponium, Terina and others, had been conquered by the Lucanians and Bruttians; some of them remained in the possession of the conquerors, others were abandoned: only a few maintained their independence, but had to fight for their existence. Rhegium, Locri, and the once flourishing Croton, had been laid waste by the Dionysii of Syracuse, who had abandoned those places indeed, but they were lying half in ruins and were but partially restored, as Delhi and Ispahan are at the present time. Thurii and Metapontum defended themselves with difficulty against the Lucanians; their territory was almost entirely lost, and they were struggling like the Italian towns in the sixth and seventh centuries against the Longobards. The only Greek town which, notwithstanding the general misfortune, was still in the enjoyment of the highest state of prosperity, was Tarentum; this city too, soon after the period of the expedition of Xerxes, had suffered a great defeat from the neighbouring Messians, but had soon recovered from it;

and at the time when the tyrants of Syracuse and the Lucanians threatened the other towns, Tarentum was in a thriving condition; it was undoubtedly increasing by the immigration of numerous Greeks from the other towns, which were either destroyed or threatened. A parallel to this occurs in the growing prosperity of the Netherlands and Switzerland in the time of the Thirty Years' war; the flourishing condition of those countries arose mainly from the distressing state of Germany, industry and commerce taking refuge in them. In this manner, Tarentum became wealthy and powerful; it had, moreover, the additional advantages which a neutral state between two belligerent parties always has, and the rulers of the Tarentine state must have been men of great wisdom.

The Tarentines had acquired great wealth through their industry, commerce, wool-manufactures, their skill as dyers, and also from their salt works; they had a powerful navy: and with the exception of Syracuse, no one of all the Greek cities, not even Rhodes, was as wealthy as Tarentum. Its inhabitants, according to their circumstances, were perfectly peaceable, and consisted of excellent seamen. There is no doubt that, as is the case with the people of the modern Taranto, navigation and fishing were their principal pursuits, a kind of idle busy life which is the delight of the Greeks and southern Italians: a Neapolitan is perfectly happy when he is rocking on the waves in his fishing boat. Nature has blessed the country about Tarentum with everything in abundance. There is perhaps no part of the European seas so rich in fish and shell-fish as the bay of Tarentum; and the poor Tarentine leads a truly princely life in idleness, for he requires only bread, salt, and olives, which he can always easily procure. The territory of Tarentum was not so large as to lead the people to devote themselves much to agriculture. The tribes of the Latin race, the Etruscans, Umbrians, and Sabellians, on the other hand, were born husbandmen; and an Italian husbandman, who

has an hereditary piece of land, is thoroughly good, honest and respectable, while the people who live in towns are good for nothing. Those Italians who are not descended from Greeks are not at all fit for a seafaring life, and the Roman coasts were provided with fish by the southern towns, which continued to be Greek even in the middle ages. The Greeks are bad husbandmen, and were so even in antiquity; they cannot be compared to the Italians as agriculturists; the work of Theophrastus indeed shows great knowledge of agriculture, but the Greeks did not feel happy in that occupation; they liked to cultivate the olive and vine, but not corn. The soil of Greece, too, is in a great many parts almost unfit for the growth of corn, being better suited for the cultivation of olives. A Greek is cheerful and happy as a fisherman, and makes an excellent sailor.

The Tarentines were quite a democratic people like the Athenians in Piræus, as is observed by Aristotle; and the state was very rich through the variety of its revenues. With these large means they were enabled to raise armies of mercenaries, as was then the custom throughout Greece, and as was the case in Holland in the seventeenth century. General opinion is not favorable towards the Tarentines: it is true that at the time when they became involved in war with the Romans, they were an effeminate and unwarlike people; but the censure which is usually thrown upon them arises from a peculiarity of human nature, which leads us, when a powerful state or individual falls, to seek for the cause of the fall in the conduct of the unfortunate, instead of feeling sympathy. I am convinced that next to Athens, Tarentum produced the wisest and most intellectual men in antiquity, and that the state made excellent use of them. A city that produced an Archytas, the Leibnitz of his time, a man who possessed all knowledge then attainable, and was at the same time a great general and statesman,—and neither envied nor banished him (as the Ephesians did with their Hermodorus) but raised

him seven times to the office of supreme commander, should not be censured: the spirit of Greece must have dwelt in it in all its beauty. The miserable anecdotes which Athenæus for instance relates of the Tarentines, are refuted by that one fact alone. They do not deserve blame any more than the great characters who are reviled in Schiller's *Maria Stuart*: a fact for which I cannot excuse Schiller, notwithstanding the beautiful poetry. It is certainly possible that Archytas and the other Tarentine statesmen looked more to the interests of their own city than to those of the Greeks in general (the Athenians alone rose to the moral height which enabled them to feel for all Greece); he may have kept up a good understanding with the tyrants of Syracuse, with more regard to the advantage than to the dignity of his native city; but these are faults which the noblest men when placed at the helm of a state in unfortunate times have been unable to avoid. The Tarentines are blamed for having made use of foreign soldiers and armies, first of Archidamus of Sparta, next of Alexander of Epirus, then of Cleonymus, Agathocles, and at last of Pyrrhus; which Strabo considers a sign of cowardice and imprudence; and he at the same time adds the remark, that the Tarentines were ungrateful towards their protectors. But during the period that followed the Peloponnesian war, it was a general evil that wars were no longer carried on by armies of citizens, but by hired mercenaries: and this circumstance must be accounted for by the fact that wars had become more extensive and bloody, whereby the ancient race of citizens was destroyed. The ravages of war had made large numbers of men homeless, who wandered about, especially in Greece (as in modern times in Switzerland), by thousands, and were one of the greatest of plagues. It had long been a fair custom in Greece to leave the inhabitants of a town taken or destroyed in the enjoyment of their freedom, and not to sell them as slaves; but as all their property was taken

from them, they were forced to gain their living in any way they could: in the Thirty Years' War likewise, it became from year to year easier to find troops;<sup>1</sup> such soldiers being constantly in arms were far superior to the militia, and when once they had begun to be employed, the militia soon became unable to resist the enemy. A city like Tarentum could not raise legions, which can be formed only where there exists a respectable and numerous class of husbandmen, and hence there are countries where absolutely nothing can be done but to hire mercenaries, as was the case at Florence when the militia had got out of practice: but the same system would be destructive to other states. Tarentum therefore was under the necessity of making use of mercenaries, and it would have been contrary to their notion of freedom to keep up a standing army; they acted wisely in confining themselves to their city militia when they could do without other troops. Whenever there was a necessity for enlisting troops, numbers of homeless persons<sup>2</sup> were always to be got in Greece about Taenarus; they were however untrustworthy and faithless, since they followed him who paid best, like the condotti in the fifteenth and sixteenth centuries; and a condottiere might easily act the part of a traitor or set himself up as tyrant. Hence it was much more prudent to engage the services of princes with their disciplined armies, for the honor of such a prince afforded at least some guarantee. Why should the Tarentines have disturbed their commerce and trade, as they were enabled to manage things differently? Such a hired army might indeed become dangerous, but so long as it was possible, they took wise precautions: Alexander of Epirus afforded them real advantages, but Pyrrhus did not. The English system of levying armies has likewise been censured, but only by persons who had no knowledge of the circumstances of the country.

<sup>1</sup> Πόλεμος πόλεμον τρέφει.

<sup>2</sup> Λατrones, μισθοφοροι.

There is nothing that deserves censure in the conduct of the Tarentines except the insolent manner in which they drew upon themselves the war with Rome, but we shall assuredly have no reason to be severe towards them, if we consider the exasperation which drove them to it.

About this time they became involved in a war with the Lucanians, who had attacked Heraclea and Metapontum, which towns were under their protection. The Lucanians had already lost that part of Calabria, which was afterwards called Bruttium, for its inhabitants, consisting of the Pelasgian serfs of the Greek towns, had united into one people, and refused to obey the Lucanians, who were wise enough to recognise their independence and remain their friends. But in order to indemnify themselves, the Lucanians turned their arms against Tarentum, attempting to subdue Heraclea. In these circumstances the Tarentines invited to their assistance Archidamus of Sparta, who with the unhappy Phocian exiles had gone to Crete; but he fell in an engagement against the Lucanians, on the same day on which the battle of Chaeronea was lost. A few years afterwards they took into their pay Alexander the Molossian, of Epirus, a brother of Olympias, the wife of Philip. Philip had given him his daughter Cleopatra in marriage, and had allowed him an appanage: his kingdom was very small; Philip, who everywhere contrived to gain strong positions, kept the fortress of Ambracia for himself, and at first gave to Alexander only three small towns in Cassopia, on the Thesprotian coast; afterwards, when Philip had extended his empire and every where put himself in possession of the fortified places, he raised Alexander to the throne of the Molossians, among whom he found but little to do. Philip followed the same policy in regard to his relations, as Napoleon did in reference to his brothers: they were to be kings, but without power; so that they were nothing else than satraps without paying tribute. It was for this reason that Philip retained Ambracia for him-

self. During the time that Alexander of Macedonia was engaged in his Eastern expedition, Alexander the Molossian was under the authority of the insolent old Antipater; he was not on good terms with the Macedonian king, and according to the accounts of the ancients, it was jealousy of the glory of his nephew that induced him to go to Italy; he is said to have complained bitterly that fate had made him fight against men, while his nephew was opposed only by women. As the Macedonian was not inclined to allow our Alexander to extend his dominion in Epirus, the latter received the invitation of the Tarentines with great pleasure. He accordingly went to Italy, but with intentions quite different from those with which the Tarentines had invited him: they expected that he, as a small prince, with a well trained army, would protect them, but Alexander went over with a desire of conquering a kingdom for himself. He was successful; subdued the Messapians and Sallentines, made a diversion to Posidonia, delivered the Greek towns, and united them into a confederacy, of which, he of course, became the *στρατηγός* and *ἡγούμεν*. Being in the service of the Tarentines, he was never in want of subsidies, like the nations who in the last century were in the service of England under Walpole; but the history of his exploits is almost entirely lost, and it is only in the Greek grammarians, such as Tzetzes, that a few interesting statements are preserved. His success was brilliant, so long as he acted in concord with the Tarentines; but when he betrayed his ulterior intentions, and wished to assume the title of king of Italy (of course in the narrower sense of the term), the Tarentines were exasperated and dispensed with his services. Whether they concluded a separate peace with the Lucanians is uncertain; but as the diet of the Greek towns met at Heraclea, although Tarentum was the most powerful and illustrious of those towns, the diet seems to have been transferred by Alexander, which clearly indicates a rupture between him and the Taren-



times. However, as his power was now too small, he seems to have carried on the war as a mere adventurer like Charles XII. : he made predatory excursions, and Pandosia in the heart of Lucania became his Pultawa; there he was surrounded by the Lucanians and Bruttians: his army was divided, both parts were annihilated, and he himself was slain. He had previously concluded a treaty with the Romans, which is incidentally mentioned by Livy, but undoubtedly on the authority of Roman annals, and this treaty is a proof of the manner in which the Romans made their calculations: they had nothing to fear from him, and sought his alliance only for the purpose of overawing the Samnites, who had concluded a treaty with Tarentum. A real alliance, however,

did not exist between Rome and Alexander, for the treaty between Rome and the Samnites was still in force. So far as we know the circumstances, we must blame the Romans for having favoured a foreigner in preference to kindred people of their own peninsula. The Samnites indeed are not mentioned among those who in the end waged war against Alexander, but his predatory excursions had brought him into contact with them: at Posidonia they fought against each other. It is interesting to speculate on what would have been the probable consequences, if Alexander had established a kingdom in Italy; it is likely that he would only have facilitated the victories of the Romans, and hence their treaty with him was very prudent, though not praiseworthy.

## LECTURE LII.

THE ancient historians had no difficulty in forming a clear conception of the relations then existing between Rome and Samnium, as we see especially in the excerpts *de Legationibus* from Dionysius: each nation saw in the measures of the other, nothing but fraud and hostility, and on the whole they may not have been very wrong in these suspicions. The Romans had kept the nations that dwelt about Campania, partly in the condition of isopolites, such as the Fundanians and Formians, and partly in a state of dependence, as the Privernatans. These latter endeavoured to shake off the yoke; for the franchise without the suffrage was only a burthen for them, and the advantages which they enjoyed were small in proportion to what they cost; the right of acquiring landed property within the Roman dominion was no benefit to a city which had itself a fertile territory. The Romans imagined that this insurrection had been stirred up by the Samnites; and there can be no doubt that every one dissatisfied with

the government of Rome met with sympathy from the Samnites. The Privernatans were joined by the Fundanians, one of whose nobles, Vitruvius Vaccus, was the leader in this movement; but the Fundanians did not persevere, and withdrew from the contest. The Privernatans were severely judged by the Romans, of which a very interesting account is given by Livy and Valerius Maximus: the ambassadors of the Privernatans were asked to state conscientiously what punishment they had deserved; they answered that they deserved the punishment due to those who struggled for liberty. The consuls received this answer favorably, and then asked whether they would keep peace if they were pardoned, whereupon they replied: "If you give us an honorable peace we will keep it, but if you give us a degrading one we shall break it." The consuls then said, that men like these deserved to be Roman citizens, and the franchise was accordingly conferred upon them. The same story occurs in the excerpts *de Legationibus*

of Dionysius, but many years earlier, and there is perhaps no foundation at all for it. It is related by Valerius Maximus indeed, but he is no authority whatever, being only an echo of Livy. The story is perhaps an invention of the gens Aemilia or Plautia, which had the patronage of Privernum, and bore the surname of Privernas, the annalists having afterwards inserted it where they thought fit.<sup>1</sup> A few years afterwards, the Privernatans, according to an unequivocal expression in a *plebiscitum*,<sup>2</sup> were again in a state of insurrection; but this has been effaced from history in order to preserve the interest of the old story. At a later time, Privernum was in possession of the franchise, and that of a higher kind than the mere Caerite franchise, for they formed the *tribus Ufentina*. Fundi and Formiae too were severely punished. This is the natural connection of the events so pathetically narrated by Livy: the generosity which he ascribes to the senate is quite incredible, and his account of it a piece of mere declamation.

There is no doubt that the Samnites secretly promoted the disturbances among the subjects of Rome, and they openly demanded the evacuation of Fregellae. Justice was unquestionably on their side, for the Romans had no right to establish a colony in a place which had been conquered by the Samnites, although at the time when Rome sent her colony thither, it was not in the hands of the Samnites; for otherwise they would, perhaps, after all, not have sent it. But in such cases justice cannot always be done: wrong and injustice are often very different things. On this occasion, I should not like to cast a stone at the leaders of the Romans for not giving up a place which they had taken in a deserted district, even if their taking it was an

act of positive injustice. The Samnites were rapidly spreading in that district; and Fregellae, at the head of a bridge on the upper Liris, was a strong point for defending the country against them; and the advantage which the Romans might derive from its possession was much less than the disadvantage to them of Fregellae being in the hands of the Samnites. As soon as Rome gave it up, the Latin road would have been opened, and her allies, the Hernicans, Latins, and undoubtedly the Aequians also, would have been exposed to imminent danger. The case was similar to that of 1803, after the peace of Amiens, when the evacuation of Malta by the English was demanded by everybody: the English could not give it up, though they had promised it, which surely they ought not to have done. The slow movements of the Samnite senate might, perhaps, have been some security against any abuse that might be made of Fregellae.

The outbreak of the war was so anxiously looked forward to, that even two years before it took place, a Roman army was encamped on the frontier, it being expected that the Samnites would make an attack upon Fregellae. By the treaty with Alexander of Epirus the Romans hoped to secure a friend, and they now tried to protect themselves against the enemy still more by a peace with the Gauls. The latter had now been settled in Italy for upwards of sixty years, the migrations across the Alps became every year less numerous, the commotion among those nations had ceased, and the Gauls, who were never an entirely savage people, did not fail to acquire a certain civilization; they devoted themselves to agriculture, and became a harmless agricultural race, just like the Goths, under Vitigis, who were likewise a defenceless host of peasants, whom Totilas was obliged to prepare for war by special training. The Gauls had before them two roads to the South of Italy,—the marshes about the Arno and the wild part of the Apennines protected Etruria;—the one down the Tiber through Umbria towards Latium

<sup>1</sup> The Plautii preserved upon their coins the recollection of the conquest of Privernum as the most glorious event in the history of their family. *Rom. Hist.* iii. p. 175. L. Aemilius Mamercinus Privernas, and C. Plautius Decianus triumphed over the Privernatans.—ED.

<sup>2</sup> Liv. viii. 37.

and Campania, and the other through Picenum along the coast of the Adriatic towards Apulia. Upon this latter road they must have repeatedly attempted to advance southward : but it was more difficult than the other road, because they were opposed by the Sabellians in the Abruzzo. Now the Romans, in order not to be disturbed by an attack of the Gauls, which the Samnites might easily have brought about, concluded a formal peace with them, which Livy passes over in silence, but which is expressly mentioned by Polybius, and which the Romans undoubtedly purchased with money, for why should the Gauls have promised the Romans to remain at peace ?

This anxiety of the Romans to protect themselves for the future, renders it highly probable to me that the old statement of their having, in conjunction with the other Italian nations, sent an embassy to Alexander at Babylon, is not a mere fiction. Alexander had put a limit to his conquests in the East, and to march southward against the Ethiopian nations would have been senseless. It was naturally expected, when he returned from India, that he would direct his arms against the West ; for no one was so foolish as to believe that he would all at once put a stop to his conquests. Many persons are of opinion that the people in the West knew nothing at all of the Eastern conquests of Alexander ; but the Western nations were not so much isolated from the rest of the world as is generally thought : the Romans must have known of the expeditions of Alexander, just as Clapperton and Denham found people in the interior of Soudan acquainted with the insurrection of Greece and with the co-operation of individual Europeans in it. During the Seven Years' War, when my father was in Sana, people there had a very distinct knowledge of the great war that was being carried on in Europe, and especially of the war between the English and French ; nay, one intelligent Arab of Sana brought forward a map, and made enquiries about the geographical position of those European

states. This happened in the very heart of Arabia ; and we must remember that the modern Arabs are a degraded and ignorant people, which cannot be said of the nations of antiquity. The means of communication, moreover, were far more easy at that time than in the twelfth and thirteenth centuries, when, nevertheless, there existed communications with the remotest parts of Asia. I believe that the Romans had accurate information about Persia and India : it is true they did not yet possess geographical works, but they undoubtedly had maps of the world like those which existed in Greece, and it is certain that at that time some Romans received a Greek education, as seems to be proved by the very surname of P. Sempronius Sophus. No one doubts that the Samnites and Lucanians sent ambassadors to Alexander, although later writers call in question the statement that the Romans did go ; the Lucanians sent their embassy in order to avert his wrath on account of the death of his uncle ; the Samnites, in order to secure his friendship if he should come to Italy, and in like manner the Romans were anxious not to offend him at least, though they might not hope to win his friendship. Even the Iberians sent an embassy to him as soon as they heard of his preparations against Carthage. Livy hits upon the singular idea that the Romans had perhaps never heard of him. It is possible that the Romans concealed the embassy from pride, or that the Greeks invented it from vanity ; but it would be necessary to suppose that the latter was done at a time when the Romans were already so powerful that the homage of Rome could increase the glory of Alexander. But Clitarchus, through whom the account of the embassy has come down to us, was an elegant author ; he wrote immediately after the death of Alexander, at the time when the Romans were still engaged in the doubtful contest with the Samnites. Aristobulus and Ptolemaeus Lagi, who far surpass him in historical fidelity, speak of Tyrrhenian and Samnite ambassadors, and

the former of these names comprises the Romans also, just as the name of the Samnites applies to all the Sabelian nations. If Alexander's life had been spared, he would have first directed his arms against Sicily, and thence against Carthage, which would certainly have fallen before him: in Italy the Greeks would have received him with the same enthusiasm as in Asia Minor, for he was *δεῖνός παρέλκειν*; he would have won them, concluded treaties with them, and have weakened those who opposed him so much, that the whole peninsula would have been his. Livy has a discussion upon this point which is very beautifully written, but a complete failure: his national vanity entirely blinds him, and he is egregiously mistaken in his calculation of the military resources of Italy, as well as in his belief that all Italy would have united against Alexander. If he had come to Italy, Rome would certainly have fallen; and his death was a necessary ordinance of Providence in order that Rome might become great.

This was the state of affairs at the time when the war broke out between Rome and Samnium. The immediate occasion of the war was the conduct of Neapolis and Palaepolis, the ancient Parthenope. Palaepolis is mentioned only by Livy: it was an ancient Cumæan colony, the Cumæans having taken refuge there across the sea. Neapolis derives its name from being a much later settlement of different Greek tribes, and was perhaps not founded till Olymp. 91, about the time of the Athenian expedition to Sicily, and as a fortress of the Greeks against the Sabellians. It is not impossible that the Athenians also may have had a share in it. Both towns, however, were of Chalcidian origin, and formed one united state, which at that time may have been in possession

of Ischia. Many absurdities have been written about the site of Palaepolis, and most of all by Italian antiquaries. We have no data to go upon except the two statements in Livy, that Palaepolis was situated by the side of Neapolis, and that the Romans had pitched their camp between the two towns. The ancient Neapolis was undoubtedly situated in the centre of the modern city of Naples, above the church of Sta. Rosa; the coast is now considerably advanced. People have sought for Palaepolis likewise within the compass of the modern city, without asking themselves whether there would have been room for an army to encamp between the two places. I alone should never have discovered its true site, but my friend, the Count de Serre, a French statesman, who in his early life had been in the army, and had thus acquired a quick and certain military eye, discovered it in a walk which I took with him. The town was situated on the outer side of Mount Posilipo, where the quarantine now is; it is an excellent and healthy situation, facing the islands of Nisida and Limon: it may be that in antiquity there was a port at Palaepolis, and the two islands still have very good harbours. That point, moreover, had a natural communication with Ischia. Mount Posilipo with its ramifications lay between the towns at a distance of about two miles, so that there was sufficient room for the Roman army to encamp on the hills, and thus to cut off the communication between the two towns. There exist neither monuments nor coins of Palaepolis. According to the common supposition, the two towns would have been so near to each other, that darts thrown from their walls would have met in their course.



## LECTURE LIII.

THE war was occasioned by piracy, or at least by hostilities committed at sea against the defenceless merchant vessels of the Romans, who had then no fleet, and strangely enough pretended not to care for the sea, as if such things could be neglected with impunity. Complaints respecting the division of the Falernian territory may likewise have contributed to the outbreak of the war. Such a division was always a great event: many persons sold their lots, while others settled upon their farms; and that district became a sore point in the dominion of Rome. If, however, this was the cause of the disruption between the Palaepolitans and Romans, the complaint of piracy which Dionysius introduces in so declamatory a manner is entirely out of place, since it would be no more than natural for them to endeavour to disturb the commerce of the hostile people. The Neapolitans, trusting to their alliance with the Samnites and Nolanians, refused the reparation which the Romans demanded of them. The Oscan population had gradually become predominant at Nola, though it had undoubtedly Chalcidean *epoeci*, who formed a considerable part of the population. How much its inhabitants had become Hellenised may be seen from the Greek symbols on the coins of Nola with the inscription ΝΩΛΑΙΩΝ. It is in general remarkable how easily the Samnites amalgamated with the Greeks; Strabo calls them *φιλέλληνες*, and the Samnites, without a literature of their own, were undoubtedly open to that of the Greeks, and endeavoured to speak like the Greeks themselves. The Romans never agreed well with the Greeks, to whom the Lucanians also were hostile, although their civilisation was Greek; and it certainly cannot be questioned that the Pythagorean philosophy was established among them.

The statement that Pythagoras was a native of one of the Tyrrhenian islands must mean that the roots of the theological parts of his philosophy must principally be sought for among the Pelasgians and in the religion of Samothrace.

An auxiliary corps of 4000 Samnites and 2000 Nolanians threw themselves into the towns of Palaepolis and Neapolis; the Tarentines are likewise said to have stirred up Palaepolis, for the Tarentines, who were very well disposed towards the Samnites, employed their money to involve the Romans in war at a distance. The Romans looked upon the occupation of Palaepolis by the Samnites as an act of hostility, and brought their complaints before the diet of Samnium. The evacuation of the place was a moral impossibility, and the answer which the Samnites returned was, that as the Romans wished for war, war they should have, and there was no need to dispute about trifles. This answer was confirmed by the assembly of the Samnite people. In the meanwhile the siege of Palaepolis had already been going on for some time, and the Romans had no prospect of success, for their art of besieging was still in its first infancy, and the Greeks opposed them with great technical skill; the attacks of the Romans, therefore, produced no effect, and the sea was left open to the Greeks. But treason did what force was unable to accomplish. Neapolis possessed ships of war, with which they may frequently have made predatory excursions against the Roman coasts, which the Romans were unable to protect. The Samnite garrison, at least the greater part of it, appears to have been stationed at Palaepolis, and the Greeks at Neapolis. Two Greeks, Charilaus and Nympheus, now betrayed the Samnites to the Roman consul, Publius Philo; they proposed to the Samnites to make an expedition

against the Roman coast, and the Samnites quitted the city ready to embark. As the town on the side of the harbour was protected by a wall, the conspirators closed the gate after the Samnites had gone out, and admitted the Romans by another gate. The Samnites found that the ships had been drawn away from the coast, and were obliged to save themselves as well as they could. Palaepolis now disappears from history, and there can be no doubt that it was destroyed on that occasion. Neapolis obtained a favourable alliance with Rome, from which we may perhaps infer that the conspirators were Neapolitans. The acquisition of Neapolis was extremely important to Rome; for thus the two harbours of Nisida and Naples, from which alone expeditions by sea could be undertaken against their territory, fell into their hands. At that time Naples was not, as at present, a city of 400,000 inhabitants, but must have been somewhat like our own town of Bonn. This conquest was made by Q. Publilius Philo, *pro consule*; he was the first to whom the consular power was prolonged (A.U. 429) by a *senatus-consultum* and a *plebiscitum*, on the proposal of a tribune, so that his own law concerning *plebiscita* was applied to him. The fact of a new magistracy being thus created in substance, though not in form, was a great change in the constitution. Up to that time no one had celebrated a triumph except during the period of his magistracy, but Publilius triumphed as *proconsul*.

This was the beginning of the second Samnite war, which, if we except the Hannibalian, is the greatest, most attractive and most noble in all the history of antiquity. It is to be lamented that we know so little about it, for the places where the battles were fought are mostly passed over in silence; but we should not be ungrateful; with some pains we may yet obtain a satisfactory knowledge of the war. Livy had described some parts of it with great pleasure, but others with evident weariness, which was the result of his mode of writing; he entered on his

task without preparation, whence he wrote with freshness and vigour indeed, but had neither a clear insight into the history nor a command of his subject. If he had made better use of the annals, we should see our way more clearly. It is to be regretted that the books of Dionysius on this war are lost, for the few fragments in Appian, who copied from him, and in Constantine Porphyrogenitus, throw much light upon many points; Dionysius' account of that period must have been excellent, for the annals were already sufficient to enable a diligent searcher like him to make out a real history. There existed some nameless chronicles as early as that time, though they may have been dry and obscure in their details: the fact that isochronistic history does not commence till a hundred years later, is here of no consequence. Livy has unfortunately made no use at all of the ancient materials which formed the foundation of the annals, whence he makes his choice quite arbitrarily when the annals contradicted one another, and in most cases prefers that which is wrong. He affords us no means of gaining a general view of this war, which lasted twenty-two years; and it was only after many years' study that I succeeded in forming a clear conception of it.

The war must be divided into several periods; the first extends from the year A.U. 429 to 433. During this period the Samnites appear to us in a strange light; for although they had wished for the war, yet they were evidently unprepared, and seem to have had the conviction that they would not be able to hold out. The instigators of the war must have lost their popularity, and the war itself was disagreeable and troublesome to the people. Such a state of things may appear surprising; but those who have witnessed the great war of the revolution must remember quite similar circumstances. The case of the Athenians in the Peloponnesian war also resembles that of the Samnites, for after the first and second campaigns they wished for peace; and so did the Venetians after

the battle of Ghiera d'Adda. In the year 1793, the war against France was quite popular in England (I was myself in England about that time), for the English remembered the interference of France in the American war, and still had great expectations from their colonies : the national hatred too was generally speaking very great, although a few were in favour of the revolution ; but when the war was carried on badly, when no objects, at least no important ones, were gained, and when the power of France was ever increasing, the war became thoroughly unpopular, and the general outcry was for peace, so that in order to maintain themselves, the ministers were obliged to yield and enter into negotiations. When, however, the nation became aware that peace was impossible, they rose in a brilliant manner, and in 1798 and 1799 the war was again extremely popular. This observation is very humiliating to those who attach so much importance to public opinion. Such also was the case with the Samnites, for when it was proved that the Romans carried on the war quite differently from what had been expected, the Samnites were disappointed and wished for peace. Afterwards, however, a complete change took place in their minds, for as the war was protracted, they began to feel as if they could not live without it, especially when it was carried on unsuccessfully, for, as in gambling, men will rather perish than withdraw from a contest, and thus give themselves up to the enemy ; and this feeling changed the war into one of guerillas. In the midst of the war, when these misfortunes were much greater than at the beginning, the Samnites had arrived at the conviction that peace was impossible.

The Samnites, as has already been remarked, consisted of four states, which took the supreme command in turn. This was a very great disadvantage, for when one general was elected, the other leaders probably hated and envied him, for such is always the case among allied states, as we see in the history of the German empire and the

United States : may God prevent this ever happening in the army of our German confederacy ! The unhappy war of the revolution likewise arose from the fact, that in the campaign of 1799 one general rejoiced in the defeat of the other. When a great man like Pontius had the command, and it so happened that the other praetors were honest men, and acted with him, a great advantage might indeed be gained ; but in the year following every thing was altered again. If the Samnites had been united, they would have been more than a match for the Romans ; but as it was, the Romans overcame them through the excellence of their institutions, for various and even most hostile elements were all firmly concentrated under the one power of the spirit of Rome. In the art of war, the Samnites undoubtedly equalled the Romans, for, according to Sallust, the Romans had adopted their armour and perhaps their whole mode of warfare from the Samnites, at least we find that in the battles the armies were drawn up in exactly the same manner, and the reports of the battles attest that they fought against each other as equals against equals. I must here contradict the opinion of General Vandoucourt, who asserts that the Italian, Spanish and African nations fought their battles drawn up in the phalanx. Their strength consisted in the sword ; the Italicans had cohorts, and undoubtedly used the pila like the Romans.

The Samnites it appears had allies ; the district from Frentum to Luceria being either an allied country or a distinct canton ; but the alliance was so loose that the Frentenians kept entirely aloof during the war. To the north of the Samnites there existed the confederacy of the Marsians, Marrucinians, Vestinians and Pelignians ; and of these the Vestinians were on friendly terms with the Samnites, while the others were indifferent to them and even attached to the Romans. The situation of the Samnites was thus very perilous, but if they had carried on the war on the Liris as far as Capua, which seems in fact to have been their

plan, they would have been able to have maintained themselves against the Romans; but the latter had a far bolder plan: for, as in the Latin war, they again formed a semicircle round Samnium, a plan which now involved much more danger and was on a greater scale than in the Latin war. The Samnites were cordially hated by the Apulians, among whom the ruling class consisted of Oscans, who may either have subdued the ancient Pelasgian population and amalgamated with them, or have expelled them. The country of Apulia is surrounded by mountains which form a horse-shoe, so that the country presents the aspect of a theatre; the mountains themselves form a part of Apulia, but the real country below these mountains is a table land of a chalky soil, and almost as hot as Leon in Spain. The Apulians had two principal towns, Arpi and Canusium, each of which was the mistress of a large territory and jealous of the other. The Samnites had conquered the eastern hills of Luceria; and the plain, too, may have been threatened by them. As Tarentum was allied with the Samnites, the Apulians applied to the Romans, and much may have been gained by their mediation. It was a gigantic resolution of the Romans to transfer their army to Apulia: there were two roads, the one passing through the country of the Aequians, who were friends of the Romans, along the lake of Celano, by Sulmona and through the narrow country of Samnium; the other led through the country of the Sabines to Reate, Civita Ducale, and the fearful passes of Antrodoco (the ancient Interocrea) which are of such a kind that a gallant people may there resist an enemy for a very long time, but which were so disgracefully abandoned by the Neapolitans in 1821; the road then proceeds to Pescara on the eastern coast, and thus reaches Apulia by an enormous circuit. The two roads were probably taken by the Romans at different times, but at first they marched along the former; now as long as they were not sure of the Vestinians, but were on good terms

with the other nations, they certainly could take the former road; for on the latter, the Vestinians were the only one of the four northern Sabellian tribes through whose country they were obliged to pass in order to reach Apulia; in addition to which they would have had to fight their way through the territory of the Frentenians. But if they had chosen the former road, the Marsians and Pelignians would, unquestionably, have opposed them as much as the Vestinians, since it was their interest not to allow the Romans to march into Apulia. Now, as on that occasion the Vestinians are called peaceful, it is clear that the Romans marched through the passes of Antrodoco. Had the Samnites been united, they ought to have made every effort to support the Vestinians; but this was not done, in consequence of which the Romans defeated and compelled them to submit. They therefore established themselves in Apulia, and thereby obliged the northern confederates to keep up a good understanding with one another. It was a great advantage to be in possession of Apulia: the country of the four Sabellian people as well as that of the northern Samnites, the Pentrians, Bovianians and even of the Frentenians, is a mountainous and pasture country in the Abruzzo. During the winter those districts are covered with snow, and it is impossible to keep sheep there; whence during the winter they are sent into Apulia, which is then covered with beautiful and excellent grass; in the spring the shepherd drives his flock again into the mountains. In southern countries the great features of nature always remain the same, and they are at the present day just what they were in antiquity. The establishments at Tarentum for dyeing wools show that the breeding of sheep was very extensive as early as that time. The use of those pastures was of the highest importance to the Marsians, Marrucinians, Pelignians, etc., and the Romans, being in possession of Apulia and protecting the pastures for their allies, obliged them to maintain a



friendly understanding, and at the same time pressed hard upon the northern Samnites. Hence we see that the Romans did not undertake that formidable expedition at random, but that their course was thoroughly

justified by the nature of the country ; nevertheless, they did not venture upon the hazardous undertaking until they saw that it was unavoidable ; and that this was the only way in which the war could be brought to a close.

## LECTURE LIV.

THE Romans had formed an alliance with the Lucanians as well as with the Apulians. The Lucanians are called a Samnite colony, which must be understood in a different sense from what we mean by a colonial city. It is certain that the Lucanians were an offshoot from the Samnites, from whom they had separated themselves. They dwelt among the Oenotrians (the ancient Pelasgians) and Greeks ; and as the Samnites were Sabellians who had become Oscans, so the Lucanians were Oenotrians who had become Samnites : they had commenced extending themselves about Olymp. 80, that is, at the time of the fall of Sybaris, which opened those districts to the Italian nations. We have no information respecting the relation in which the Lucanians at first stood to the Samnites. The territory of Lucania is larger than that of Samnium ; but there was not a corresponding proportion in the powers of the two nations, as we see from the census lists. The Lucanians were never powerful, not even in much later times, when the Samnites were greatly reduced ; the number of their capita did not amount to 30,000, that is much less than half that of the Samnites. This shews that the greatest part of the Lucanian population had no share in the sovereignty, which was concentrated in a few places only, such as Petelia ; the country was distracted by parties. One portion of the people resolved to join the Romans ; but this can have been only a small majority ; for soon afterwards a revolution took place in which that alliance was broken, and the Samnites were invited to

occupy their fortified places. We are acquainted with the treaty of the Lucanians and Romans from Livy, but all the rest of his narrative relative to these events must be greatly modified, as for example when he says that the Tarentines, frightened by the power of the Romans, prevailed upon the Lucanian nobles to tell the people that the Lucanian ambassadors had been cruelly treated by the Romans, at which the people are said to have been enraged, and actuated by this feeling, to have thrown themselves into the arms of the Samnites. This is the same story as is related of Zopyrus and Sextus Tarquinius. We here see that treacherous blindness of party spirit, which is so saddening in the history of the later Greek states. The Samnites thus unexpectedly became masters of Lucania, and availed themselves of its resources, both in men and money, for their own advantage.

These wars, as far as we can survey them, are from the beginning extremely interesting, on account of the determination, skill, and firmness with which they were conducted. They resemble a single combat between two excellent champions, for the two parties aimed at each other's life, directing their blow with the greatest boldness at each other's heart. They fought with the same resolution as in modern times has been shewn in attacks upon particular places. If after the battle of Cannae, Hannibal, with his enormous talent, had had the same resolution—if he had not been too cautious, but had followed the same plan against Rome as the Samnites did, he would decidedly have triumphed over his enemies. Each of

the belligerent parties calculated very much upon the disaffection of those who were dependent upon the other. The frontier of the Samnites was in the Abruzzo above Sora, and Casinum was their city. The course of their operations seems always to have been determined by those mountains. Thence also they acted on the offensive, and that with the definite object of causing an insurrection among the Latins, who fourteen years before had been independent, and were therefore inclined to rebel. The traces of a partial insurrection are obscured in Livy, but are nevertheless discernible; and we find, that even Tusculum, in conjunction with Privernum and Velitrae, rose in arms; but the Romans always quelled these insurrections, and the consequence was the destruction of many of the Latin towns. All this can be inferred also from certain allusions; for example, from the proposal of a tribune (which, however, was not carried) to destroy the Tuscians altogether. To the same circumstances must be referred the strange story in Livy of a sudden nocturnal alarm in the city, as if the enemy were within the walls; for as the armies were at a great distance, an insurrection of the Latins naturally produced terror up to the very walls of Rome.

The Samnites endeavoured to penetrate through the Apennines to the sources of the Liris, and straightway to advance towards Rome. The Romans at the same time crossed the Vulturnus, and tried to reach Saticula in Campania, and thence to invade Samnium. Each was little concerned where the blows of the other fell, provided it could itself inflict a deep wound. This method of carrying on the war had peculiar advantages for both. For the Romans it was an advantage that the Samnites ravaged only the territory of their allies, whereas the Romans inflicted sufferings on the Samnites themselves. This, however, could not have the same evil effect as the ravages of the Samnites produced upon the disposition of the Roman allies. It is a mere accident that we know that the seat of this war was

in the neighbourhood of the modern abbey of Subiaco, on the frontier of the Aequians and Hernicans, among the high mountains which separate the valleys of the Liris and the Anio. Livy states, that the enemies faced each other near Imbrinium, in Samnium; but even the early Italian commentators, such as Sigonius and Hermodorus Barbarus, justly remark that Imbrivium must be meant; and they identify the place with that from which the emperor Claudius constructed his aqueducts, in the country of the Aequians, near Subiaco. Livy shows too few traces of accuracy and care to prevent us adopting this correction, which is commended not only by probability, but by positive necessity. There the Samnites established themselves, and thus cut off the Romans from the road to Apulia, whereby the latter were obliged to keep up the communication on the road by Antrodico. That district is very important in military history. Circumstances were so dangerous an aspect, that in the third year of the war the Romans appointed L. Papirius Cursor to the dictatorship, the consul L. Furius Camillus being ill. Papirius Cursor is remembered among the first generals of his nation. By his side stood M. Valerius Corvus, who was of about the same age, and the younger Q. Fabius Maximus, whom Valerius Corvus probably survived.

M. Valerius Corvus was the most popular man of his age. He was free from all political party spirit; he loved the people, and was beloved by them, and the soldiers had unlimited confidence in him. In his leisure hours he felt as happy among his soldiers as in the midst of his family; he shared his labours and his pleasures with them: his popularity was the inheritance of the Valerii. It was his personal character that enabled him to quell the insurrection of the year A.U. 413, which no one else would have been able to accomplish.

L. Papirius Cursor was a rough, and properly speaking a barbarous man, who had somewhat of the character of Suwarow, except that the latter was a

far more educated man, for he was well acquainted with German, French, and English literature, and possessed great judgment. Cursor had enormous bodily strength; and, like the emperor Maximinus, kept it up by eating and drinking like an athlete. He tormented and annoyed the soldiers by excessive severity, and rendered their service as hard and difficult as possible, thinking that the soldiers would thereby become all the more useful. Towards the officers and commanders of the allies he was equally severe. It was his delight to see those around him tremble; and he would not pardon the slightest neglect, but inflicted corporal and even capital punishment upon those who were guilty of it. He was generally hated, and looked upon as a demon, in whom, however, the republic possessed an invincible bulwark, which in case of need might afford a last refuge.

Q. Fabius was a different man from Valerius Corvus. He does not appear to have been so cheerful and loveable a character as Valerius; but he was withal *comis*, a gentle commander, and a mild and wise man. Great reliance was placed on his wisdom and good fortune; in the latter Papirius was inferior to him. He too was highly popular, but not in the same manner as M. Valerius; for it seems to have been owing more to the respect than to the love which was felt for him. He was regarded as the first man of his age, whence he received the surname Maximus. He was no less great as a statesman than as a general, and was a rallying point for all parties. By birth and rank he was an aristocrat, but a very sensible one, and in many cases he was able as arbitrator to bend the oligarchy. His whole life shews that he was in earnest in everything, and able to control his own feelings, and sacrifice them to the good of the commonwealth. It is these three men who give to the history of that period its peculiar interest.

The dictator faced the Samnites in the neighbourhood of Subiaco, but at the same time another army was stationed in the neighbourhood of Capua to protect Campania against the in-

roads of the enemy. The dictator is said to have perceived that the auspices had not been correctly observed. It was impossible for him to take new ones where he was, the auspices differing according to the localities, some being valid at Rome, others in the enemy's country; hence he was obliged to return to Rome to take fresh auspices on the Capitol. Whether it really was for this, or any other reason, he left the camp and went to Rome, leaving the command to Q. Fabius, his master of the horse, expressly enjoining him not to act on the offensive. This injunction may have been well founded; but it is not impossible that it arose from a want of confidence in the younger man, or from a desire not to allow him an opportunity of distinguishing himself. The Samnites very soon observed that the Romans were not permitted to fight, and they therefore provoked and pressed them all the more: the inactivity of the Romans was dangerous, for the Latins in their rear were ever ready to revolt, if the Samnites should offer them support, though by themselves they were unable to undertake anything. Under these circumstances, Fabius with youthful confidence resolved to give battle to the Samnites: he gained the victory, and according to some authorities even defeated the enemy twice. As the army regarded the dictator's order only as the result of his ill-will and envy, the master of the horse sent his report, not to Papirius Cursor, but direct to the senate, disregarding him who had the auspices, and through whom alone the report ought to have been sent. He then burnt the booty, in order to deprive the dictator of the spoils for his triumph. In the city the fear of the consequences was undoubtedly not less than the joy at the victory. Papirius forthwith returned to the camp; and his speedy arrival there shews that the army cannot have been far away from Rome. Surrounded by his twenty-four lictors, he summoned the master of the horse before his tribunal, and only asked him whether he had fought against his orders or not. When every-

thing was ready for the execution of Fabius, the whole army assumed so threatening an attitude, and the general indignation at Papirius was so great, that he himself began to hesitate, and at the urgent request of the soldiers, granted a respite until the following day. In the night Fabius fled to Rome and applied to the senate; but during its meeting, and while Fabius was standing in the midst of the hall, Papirius himself also appeared, and demanded his victim. Although the senate afterwards shewed on several occasions that it was not favourable to Fabius, yet sympathy for the youthful hero was then very general, and it was resolved to protect him. Papirius did not dare to use force: the situation of Fabius, however, was not so desperate as Livy describes it, for we know from Verrius Flaccus, that the patricians had the right of appeal from the verdict of the dictator to the curies. Livy's statement that he invoked the tribunes, is either a confusion caused by the expression *provocatio ad populum*, or it was a sanction of the decree of the curies by the plebes, in which case the whole people would have granted an amnesty to Fabius. Papirius even now refused to yield, but the determination of the two orders snatched his victim from him. Livy's statement, that he became reconciled to Fabius, is impossible. Fabius resigned his magistracy, and Papirius took another master of the horse. The object of general hatred, he returned to the army, and the unfortunate issue of an engagement was attributed to him. This happened in the year A.U. 430.

Fabius is said to have gained his victory chiefly by having ordered the *frena* to be taken from the horses, and thus caused the cavalry to dash upon the enemy. If by *frena* we understand reins, the statement would be absurd: and the difficulty may be explained by the bits which have been discovered at Herculaneum and Pompeii. The bridles and bits of the horses used by the Romans were extremely cruel; if therefore instead of these, the Roman general ordered the gentler ones of the Greeks described by Xeno-

phon to be used, it is natural that the horses, thus eased, should have pressed forward with greater cheerfulness and vigour.

The war took such a turn that the Samnites were in great difficulty, and regretted having undertaken it. They concluded a truce on condition of their giving pay and clothing to the Roman soldiers, and then began to negotiate for peace, which they thought they might obtain by yielding to the first demands of the Romans in reference to the garrison at Neapolis and the recognition of the colony at Fregellae. But the Romans now undoubtedly made quite different claims, demanding, in addition, that Lucania and Apulia should be evacuated, and, what was always done in such a peace, that the Samnites should be reduced to the same position as if they had been entirely subdued: this was one of the maxims which contributed to the greatness of the Romans. The attempt to conclude a peace was unsuccessful, the war was renewed, and the Romans now conducted it with great energy. Fabius, who was made consul, led his army into Apulia and took Luceria and many other towns of the Apulians and Samnites. His repeated victories compelled the Samnites to withdraw from Fregellae in order to oppose his progress. The other Roman army was also successful, and as the Romans gained great advantages in the whole of the following campaign, the Samnites came to the determination to seek peace at any cost. They now vented all their indignation upon Papius Brutulus, the man whom they regarded as the soul of the whole war, and who belonged to the family which, two hundred years later, produced C. Papius Mutilus. The Romans again concluded a truce, for which the Samnites made great sacrifices. We are indebted to the excerpts from Dionysius for a knowledge of these transactions: the Samnites were ready to do everything in their power to punish the authors of the hostilities; but the Romans unquestionably demanded the surrender of Papius Brutulus, and the resolution which he took shews that he



was a great man. He had lived for his countrymen, and served them as long as they wished to be great, but now that they were desponding, life had no value in his estimation, and he made away with himself, in order that his fellow-citizens might be able to say that the author of the war had atoned for his offence. This is one of the most heroic acts in all antiquity, and is greater even than the similar deed of Cato. The Samnites, to their own disgrace, sent his body to Rome.

As the Romans had, on the first application for peace, gone beyond the demands they had made before the war, so they now again exceeded the terms they had last proposed, demanding that the Samnites should recognise the supremacy of Rome (*majestatem populi Romani comiter colere*). The Samnite ambassadors had appealed to the humanity of the Romans, they had declared that they would accept any terms, if the Romans were resolved not to give up a single point, but that they could not consent to recognise the Roman supremacy, since upon this point the national diet alone could decide. The consequence of such a recognition would have been a state of perfect dependence in all their relations with foreign states: they would have been obliged to give up their alliance with the Tarentines and Lucanians; and Roman commissioners would have appeared among them with the right to enquire whether the treaty was duly observed. Such terms were intolerable to the Samnite people: they had lost their leader, humbled themselves, and imploringly prayed for a suitable peace; but all was now in vain; they resolved to perish to a man rather than conclude such a peace as was offered to them. This time the Romans had carried their maxim too far: the Samnites exerted their utmost power, and commenced the war in Apulia on account of the physical importance of that country. Luceria with its Roman garrison was besieged: it had originally been a Samnite town, but had been conquered by the Apulians. The Romans also changed their mode of warfare, and as the main army of the

Samnites was stationed in Apulia, resolved to concentrate all their forces too in that country: they had before directed their attention to Apulia, and had indeed found some allies there, but without gaining a firm footing. They would accordingly have been obliged to compel the Vestinians to allow them to march through their territory, a plan which seemed to be dangerous, because they might thus become involved in a war with the Marsians, Marrucinians, and Pelignians. But there the unfortunate jealousy among the Samnite tribes would have come to their assistance; other nations also to whom the Romans were troublesome, such as the Aequians and even the Campanians, sided in their hearts with the Samnites, though they did not wish the latter to gain a decided victory: those little petty nations imagined that the Romans and Samnites would mutually weaken each other, and that they themselves might derive advantages from this state of things.

When it was known that Luceria was besieged, both consular armies wanted to march to Apulia, and resolved to take the nearest way, forcing their road through the midst of Samnium, for the Samnites had become contemptible in their eyes. They perhaps took the road by which A. Cornelius Cossus had gone, viz. the one from Capua by Beneventum to Luceria. C. Pontius, the general of the Samnites and one of the greatest men of antiquity, who had foreseen this, left at Luceria only as many of his troops as were necessary to continue the blockade, and encamped on the road which the Romans had to pass, near Caudium, the capital of the Caudine Samnites: that town afterwards disappeared from the face of the earth, that there might be no trace of the disgrace of the Romans. The Romans descended a defile into a valley, on the opposite side of which another pass formed a steep ascent up the mountain: they had not yet met the enemy anywhere, and therefore advanced very carelessly. The army, forming a long column, had descended

the one pass, and the first part of the column was beginning to ascend the opposite defile, but found it completely barricaded with stones and trees. The Samnites had probably made preparations of the same kind as the Tyrolese in the year 1809, who had placed on the heights large trunks of trees fastened together with ropes, and behind them huge blocks of stone, so that when they cut the ropes the enemy in the valley below were crushed under the falling masses: this seems to be suggested by the mention of stones in Livy. According to his account, the Romans behaved on this occasion in a most cowardly manner, for they are said to have attempted to return, and finding that the opposite path was likewise obstructed, they made up their minds to encamp in the valley. This is an absurdity, for an army thus shut in would under all circumstances fight with the courage of despair, and endeavour to escape. There can be no doubt that a pitched battle was fought in which the Romans were defeated, as is clearly stated by Cicero (*cum male pugnatum ad Caudium esset*). Appian, of whose work we have only fragments relative to those events, states that the superior officers who survived with the consuls, signed the peace; he mentions twelve tribunes, but as the complete army contained twenty-four tribunes, twelve must have fallen, or at least have been severely wounded. Zonaras, also, speaks of a lost battle and the conquest of the Roman camp. In urging the point that there was no engagement at Caudium, Livy displays a truly strange kind of vanity: he describes the Romans as cowards in order to conceal the disgrace of a defeat. The particulars of this affair are buried in great obscurity, but the result of my investigations is as follows. According to Livy's account the consuls only *promised* that the Roman people would conclude peace, and that beyond this nothing was agreed to; so that he represents the Romans as not having been faithless; but that half of the Roman equites (six hundred) were given as hostages. But

the affair was in reality quite different: Appian, who derived his information from Dionysius, says that the hostages were given, *ἕως ἀπας ὁ δῆμος τὴν εἰρήνην ἐπιψηφίστην*, that is, until the curies and tribes should have ratified the peace. Its terms were fair; C. Pontius, not knowing, in the extreme joy of success, what use to make of it, summoned his father Herennius Pontius, a friend of the Tarentines and especially of Archytas,<sup>1</sup> into his camp, to ask him how he should treat the Romans. Herennius answered that all should be cut to pieces; and when the son replied, that this was inhuman, the father is reported to have advised his son to dismiss them all without injury, in order to place the Romans under an obligation by this act of grace. But the Romans of that time would have laughed at such an *εὐήθεια*. The meaning of the story can only be this:—Herennius meant to say "The only thing that can be done, is to destroy the enemy; how can you have any doubt about that? If you are at all in doubt, you had better dismiss them at once." But C. Pontius was a high-minded man, he had a great Italian feeling, and it was impossible for him to annihilate the army of a nation which protected Italy against invading foreigners, especially Gauls and Carthaginians; he did not doubt that a lasting peace might be concluded with the Romans, if they could be secured; we fortunately know its terms from the fragments. The consuls and all the commanders pledged their word of honour that the people

<sup>1</sup> Herennius appears to have been altogether a model of wisdom among the Samnites. According to a passage in Cicero, *de Senectute*, he was one of the interlocutors with Archytas in a philosophical dialogue of some Pythagorean philosopher,—a remarkable proof to what extent those Italiote towns were familiar with the Sabellian people, and how little they looked upon them as barbarians. For the Opicans they had a great contempt, and probably made a marked distinction between them and the Samnites. The intercourse with the Greeks explains how it came to pass, that Numa, the source of all Sabellian wisdom, was regarded as a Pythagorean: this is a genuine Sabine tradition. They went so far in their friendly feeling, that the Greeks insisted upon the Samnites being a Spartan colony.—N.

would ratify the peace; and until then the equites, the sons of the most distinguished families, were to remain as hostages, the *status quo ante bellum* was to be restored, all conquered places were to be given back to the Samnites, the colonists were of course to be withdrawn from Fregellæ, and the ancient equal alliance between the Romans and Samnites was to be renewed. Compensations in money or any humiliating conditions are not mentioned at all; the Romans were to depart, but leave behind all their arms, money, waggons, horses, etc. This is in accordance with the general Italian law of nations. The passing of the Romans under the yoke is described as *superbia* on the part of the Samnites, but was quite in the natural course of things: the Samnites had completely surrounded the Romans with palisades: some of these were taken out, and a gate was formed, through which the Romans were allowed to pass one by one unarmed. The same thing had often been done before, and was perfectly natural. It should be remarked, that Pontius was so far from being cruel, that, according to Appian, he granted to those who departed, sumpter horses to carry the wounded to Rome and provisions for their journey. Never has a great victory been more nobly used. The question now is whether the peace was ratified by the Roman people, for here lies the cause of so grave a charge, that Livy places it in the back ground.

The fact of the peace having been ratified is attested by the circumstance that the tribunes of the people were delivered up to the Samnites; they accordingly must either have sanctioned the decree of the curies regarding the peace, or have made a formal proposal to the plebes for that purpose. A tribune of the people was not allowed to spend a night out of the city; and therefore could not have been among those who had concluded the peace with the enemy in the camp. The only other possible way of explaining the circumstance would be to suppose, that by a formal decree, a tribune was sent to the army; but even this can be conceived only on the supposition that he was sent thither for the purpose of ratifying the peace. This was necessary in order to recover the hostages, and therefore the peace was ratified, to be afterwards broken, under the pretext that the consul and tribunes who had brought the motion before the senate and the plebes, were traitors and ought to be delivered up to the Samnites. This is the most detestable act in Roman history, and surely the Romans had good reason to conceal it; in order to do this, Livy has corrupted and distorted the history of the whole of the year following, by stating that in it the Romans, at the conquest of Luceria, recovered their hostages, who, considering that the peace had been so shamefully broken, would certainly have been massacred long before.

## LECTURE LV.

THE existence of the peace is further attested by the events which took place afterwards; for in the very next year we find the Samnites in possession of Luceria and Fregellæ: it is said, indeed, that the latter place was conquered, but this may be a forgery, or the colonists were unwilling to quit their homes, and the Romans may then have left the place to be taken by

the Samnites. At any rate the latter occupied Fregellæ, which was a matter of great importance, if the war should break out again; for Fregellæ commands the Latin road leading from Tusculum through the country of the Hernicans to the upper Liris and Campania. The Romans therefore now had only the road by Terracina, Lautulæ and the lower Liris

in the neighbourhood of Minturnæ: moreover when a Roman army was stationed in Campania, and another marched by Subiaco into Apulia, the communication between the two was cut off. Of still more importance was the subsequent occupation of Sora by the Samnites, not only for the reasons already mentioned, but because they thereby acquired a basis for their operations. The calamity of Caudium belongs to the year of the city 433, according to Cato; and this forms the conclusion of the first period of the war.<sup>1</sup>

The Romans now cancelled the peace, and delivered up to the Samnites the consuls and other commanders who had sworn to it: by this means they endeavoured to escape the punishment for their perjury, and it was perhaps for this purpose that they had carried their hypocrisy so far as to cause the peace to be decreed by the tribes and not by the centuries, in order to exclude the auspices, and thus to avoid coming into collision with the law of religion. Livy, on the occasion of the surrender of the tribunes, indulges in a perfectly senseless piece of declamation: the tribunes had to meet their fate as well as the consuls, and in so deep a humiliation of their people, they could hardly look upon their personal misfortunes as anything extraordinary. It is further related, that the consul Postumius kicked the fetialis who delivered him up to the Caudines, with these words: "Now the Romans may carry on the war with justice, for I am a Samnite citizen and have violated the law of nations." This sounds quite absurd, but it is nevertheless possible, for we know from Velleius Paterculus, that previously to the outbreak of the war isopolity had been established with a portion of the Samnites, and these Samnites may have been those very Caudines; now as every Roman on going into exile might assume the

franchise of such a state, Postumius, according to the forms of the law of nations, may have claimed for himself the franchise of the Caudines. By such a detestable farce he imagined that he was drawing the punishment of heaven upon the Samnites. But however this may be, the peace was broken in a most unprincipled manner, and this act forms a glaring contrast with the noble generosity of C. Pontius, who sent back all the prisoners, saying, that if this principle was to be followed, the Romans ought to send all their legions back to Caudium, in order that the affair might be restored *in integrum*, and that the individuals were not his enemies. This shews Caius Pontius to have been an extraordinary man, and the Samnite people to have possessed great moral worth.

The Samnites continued to gain great advantages, but none that were lasting, and the Romans, who made immense efforts, returned to their former plan of operation, that is, they conducted the war against Samnium from Apulia and on the western frontier. Publilius Philo and L. Papirius Cursor were elected consuls: the latter went to Apulia; the former is said to have fought on the road which was so unfortunate for the Romans in the year 433, and to have forced his way to Papirius, who was stationed near Arpi. This is not very probable, but we cannot speak with any certainty about it. The Romans established themselves at Arpi, which was friendly to them, and from it they carried on the siege of Luceria. There Pontius is said to have been blockaded with 7000 Samnites and the 600 Roman hostages, to have been obliged to capitulate, and to have been dismissed after having passed under the yoke. But the whole story is nothing but an invention of vanity.

Diodorus' accounts of these times deserve great attention; we know not whence he derived his materials, it may be from Fabius or from Timæus; that he made use of the latter at least, is very possible, for Timæus may have written the history of this period as an introduction to his history of Pyrrhus,

<sup>1</sup> In the Lectures of 1826-7, Niebuhr fixed the end of the first period *before* the defeat of Caudium, so that the second period would be that of the success of the Samnite arms.—ED.



or in his histories of Sicily and Italy. The statements of Diodorus are very remarkable, though they are extremely fragmentary and unequal. He sometimes drops the thread of his narrative and takes it up again at random; he is on the whole a very miserable historian; his work contains names of places which are now quite lost: some are evidently mistakes and perhaps of the author himself, but others are simply unknown to us. Livy's account of the year 434 (the consuls at that time entered upon their office in September, so that what he relates belongs to the spring of 435) occurs in Diodorus under the year 439, which is far more probable, for it is not likely that Luceria was conquered twice. The consuls undoubtedly confined themselves to making preparations, and reducing to obedience those of the allies who had become rebellious. The Romans now made the greatest exertions in Apulia, most of whose inhabitants they subdued; for in A.U. 436 and 437 there was a truce between them and the Samnites, which had been effected by the mediation of the Tarentines, who were greatly concerned about the restoration of peace, since they dreaded lest the Romans should permanently establish themselves in their neighbourhood. The truce at this period was a misfortune for the Samnites; and there can be no doubt that C. Pontius was not invested with the supreme command, owing to the jealousy of the other cantons. The Romans already began to assume an imposing attitude, but in A.U. 438 the war again burst forth with extreme violence. It is full of the most remarkable vicissitudes of fortune; the ever memorable campaign of the year 1757 indeed is more brilliant, but we might almost compare it with that of the Samnites. They conquered Sora by treachery, whence we see that, pursuing the same plan as they had adopted at the beginning of the war, they again endeavoured to extend their sway on the upper Liris. The Romans, on the other hand, with that lionlike intrepidity which characterises both nations in this war, laid siege to

Saticula in the neighbourhood of Capua, for the purpose of gaining ground against Samnium, and disturbing the Samnites by a diversion. I may here pass over the detail. One Roman army was already in the interior of Samnium, and the other in Apulia, but both were almost surrounded, so that a report of the danger reached Rome. The Samnites had strengthened themselves on the Liris, and the Romans, perceiving that it was the object of all their movements to cut off Campania from Rome, sent a detachment under the dictator Q. Fabius, with the greatest haste, to the pass of Lautulae, whence he was to join the army in Campania. But even Fabius was not invincible. The Samnites came across the mountains behind Fundi and occupied the narrow pass, the Thermopylae of that country. The Romans, who seem to have fallen in with them unexpectedly, were completely defeated and put to flight, as is clearly stated by Diodorus (A.U. 438 or 439); Q. Aulius, the master of the horse, allowed himself to be cut to pieces. This victory produced a mighty revolution, for the Samnites now spread into Latium. Satricum joined them, and the nations, far and wide, either actually revolted, or showed a hostile disposition. In what manner fortune turned is a point on which Livy leaves us in the dark, because the preceding defeats are only slightly alluded to by him. The Samnites were besieging a place which Diodorus calls Kinna (we do not know what place is meant). The Romans, in relieving it, completely defeated the enemy, and then again subdued the revolted towns. One of the revolted people were the Ausonians or Auruncans, about the mouth of the Liris, who had probably intended to remain neutral. Some of those who may have been most compromised now displayed features of baseness which one would hardly think possible. Twelve Auruncans came and surrendered their towns to the Romans, who destroyed them; which Livy, with his kindly feeling, relates with horror, but in a political point of view

the destruction was quite right. The more difficult the circumstances were, the more necessary was it for them to strike terror into their subjects, for they could not calculate upon any attachment. Livy says, *Deleta Ausonum gens vix certo defectionis crimine*, an expression we cannot perhaps take in its strict sense. The disposition to rebel extended as far as Praeneste, the revolt of which place in this very year may be inferred from Livy, for under A.U. 449, in speaking of the Praenestine Q. Anicius, who was then plebeian aedile, he says, *qui paucis annis ante hostis fuerat*. But most of these people, in going thus far, only injured themselves without benefiting the Samnites. None of them wished that the sovereignty of Rome should pass into the hands of the Samnites, but all were anxious to remain separate between the two in their miserable independence. If they had been prudent they would have endeavoured to unite with Rome, and Rome would readily have received them. It is a pity that Livy passes over these painful reports, and does not explain in what manner the two Roman armies contrived to escape from their perilous situation. This must have taken place, and deprived the Samnites of their advantage. Livy himself says, *omnes circa populi defece-rant*. We are indebted to Diodorus for our knowledge that the army of Fabius saved the Romans. By dint of a careful examination, we can in some measure determine the whole extent of the insurrection. According to Diodorus, Capua actually revolted; while according to Livy it was only suspected, and the leaders of the conspiracy made away with themselves. The former statement is more probable; and the consequence was, that a Roman army under C. Maenius, who was appointed *prætor rei gerendæ causâ*, marched into Campania, and re-conquered the city.

In the year 440, which is the turning point, the second period of the war came to its close. The battle of Lautulae and its consequences had raised the Samnites to the summit of prosperity; but the Romans now

again succeeded in drawing fortune over to their side, as in general they always shewed themselves greatest after a misfortune. Horace says, *merces profundo pulchrior evenit*; the Romans never lost their presence of mind except after the battle on the Alia. With such a determination they could not fail to conquer the world. He who is at one with himself, able, conscious of his power, and who resolutely resists his opponent, is always sure to win. Even the very next year, Rome paralysed her enemies by her invincibleness, though materially she suffered fearfully from such exertions; but in the field she was indomitable.

The year 440 was the twelfth of the war, and the Samnites had not yet lost any thing except the insignificant towns of Saticula and Luceria; Fregellæ was still theirs. After this time, however, though they were successful in some undertakings, fortune soon decided in favour of Rome. This is the third period of the war. In A.U. 441, the Romans conquered Fregellæ, Atina, Nola (a very important conquest, not so much in a military as in a political and financial point of view, for they thus obtained possession of the fertile country east and north of Mount Vesuvius), and Sora. Nuceria, between Mount Vesuvius and Salerno, likewise surrendered, but soon after revolted again. They now carried on the war against Samnium as if it had been a siege, advancing nearer and nearer until the main wall was reached. According to Livy, Luceria, which had previously revolted, was now retaken; but I believe that it had never been conquered before, and that the first account of its capture is a mere fiction made to cast back the disgrace of Caudium upon the Samnites. That account, however, is here repeated. The Romans now determined to leave a garrison at Luceria, and sent 2500 colonists to the place. They had to defend the territory assigned to them, their persons, and property: they were a permanent garrison, which was kept complete by the succession of their children, and thus formed a safer

defence than cohorts. Even the boldest must have felt giddy at the resolution to establish a colony at so great a distance : but boldness here was the right thing ; the colony maintained itself, and the passes of Apulia were now in the hands of the Romans. They also established themselves on the Liris, and conducted their sieges with regular parallels, which they continued to push onward. They restored Sora, built quite a new town called Interamnum, fortified Fregellæ, Casinum, Saticula, and Suessa Aurunca, in order to make an imposing impression : Cales had been occupied by them even before this time. Every access on the Latin road was thus closed, and the series of fortresses was like those of Vauban on the French frontier. There are some obscure traces that the Romans now began seriously to dread the participation of the Tarentines in the war. Tarentum was a maritime power, though not like Athens in ancient times. Hitherto the Tarentines had only given subsidies, but now they sent a fleet under a Spartan prince to Agrigentum, in order, as the Greek writers say, to regulate the affairs of Syracuse (Olymp. 116. 3.) ; but it was either actually destined to act against the Romans, or the Romans expected that it would do so. Hence they built a fleet, and appointed *duumviri navales classis ornandæ reficiendæque causâ*, independent of the consuls, and founded a colony in the Pontian islands, which had a good harbour. These islands were very conveniently situated for harassing the coasts ; and hence the Romans were afraid lest the Tarentines should there establish themselves. The same circumspection was shewn by the Romans in all things. Their fortresses now afforded them a safe basis, and they transferred the war into the country of the Pentrians, in the northern part of Samnium.

In this campaign, the army of the consul Junius Bubulcus came into great danger. Guerillas were formed, and his communications were cut off, so that his army, in a hostile and deserted country, had great difficulty in providing itself with the means of subsist-

ence ; the Romans learned that the Samnites had driven their cattle into the mountains, and when they set out to take possession of the animals they were surprised by the Samnites and escaped only after sustaining great losses. In this battle, the consul had vowed a temple to Salus, for which C. Fabius Pictor made a picture which according to the judgment of a lover and connoisseur of art was an excellent painting.<sup>2</sup> I have discovered this opinion in a fragment where no one would be likely to look for it.<sup>3</sup> It may be remarked generally that this was the age of the fine arts at Rome, for to this period belongs the exquisite statue of the she-wolf (A.U. 457), and we know that in other temples also pictures were dedicated at that time ; statues were erected to C. Maenius and C. Marcius, and Sp. Carvilius ordered a colossus to be erected on the Capitoline hill, which could be seen from the Alban mount. This circumstance shews with certainty upon which hill the temple of the Capitoline Jupiter was situated. Rome afterwards sank down to a mere imitation of Grecian art, and lost her original productive powers. These facts throw great light on the history of art, which no one can learn from books, but which, like the military art, must be acquired by personal observation. A person who should take Pliny alone as his guide would not be able to understand it. It is further necessary to be acquainted with modern art, for he who knows how and under what circumstances art arose, flourished and decayed in Italy, is almost able to prophesy what will be the career of art among ourselves in future ; and a perfect parallel occurs in the history of Greek art.

The Romans had conquered a great part of the Samnite country ; and if the war had been continued in this manner, they would in all probability

<sup>2</sup> The Romans therefore were not annihilated as Zonaras says.—N.

<sup>3</sup> This probably refers to the passage in Mai's Exc. xvi. 6. from Dionysius, cited in *History of Rome*, iii. p. 356, n. 604.—ED.

have attained their object, and have concluded a peace with the Samnites, on the terms refused by the latter before the battle of Caudium. But here we have the remarkable spectacle of the isolation of the nations of ancient Italy: it was now the fourteenth year of the war, and, with the exception of the Tarentines, no people had yet joined the Samnites; the northern confederacy until then had been hostile to them, or at least neutral, and the Etruscans had not moved a hand perhaps from fear of the Gauls. According to a statement in Polybius, the Romans about that time concluded a treaty with the Gauls, probably with a view of employing them in case of need against the Etruscans. Under these circumstances Samnium had become quite reduced; but now the Etruscans, led by the Vulsinians, at length declared against Rome, which was thus

compelled to carry on a twofold war. It was certainly not a mere accident, as Livy would make us believe, that the rise of Etruria coincided with the end of the Samnite war; that event was brought about by the Samnites themselves. The Etruscan war was a relief to the Samnites; the Romans nevertheless did not leave them alone, but continued the war on the offensive. These occurrences are worthy of notice indeed, but it would lead me too far to enter into the detail of those operations. In order not to interrupt the narrative of the Samnite war, I shall defer speaking of the Etruscan war, until I have concluded my account of that against the Samnites. The duration of the Etruscan war, which was interrupted by truces, was different with the different towns; with Vulsinii it lasted thirty years.

## LECTURE LVI.

How low the Samnites had sunk is clear, from the fact that even one consular army was too much for them: this army took by storm Bovianum, next to Maleventum the most prosperous town of the Samnites, but which, like all Samnite places (in contrast with those of Etruria), was fortified only by nature, and provided with an *arx*. The fate of Bovianum may serve as an example of the sufferings of the Samnite towns: it was thrice taken by the Romans, and we may easily conceive how it could become so insignificant a place as it was in the days of Strabo. Magdeburg experienced the same fate in the Thirty Years' War, for in its capture and destruction by Tilly, its population was reduced from 30,000 to 3000, and only the cathedral and a few houses were left, huts being erected on the ruins. While the Romans were fighting in Etruria, the Samnites evidently had the intention of carrying out the great scheme which renders the third Samnite war so remarkable, namely,

to transfer their forces to that country, and to meet the Romans on foreign ground. What the Etruscans wanted, was a courageous army trained in war, and with this the Samnites wished to provide them. But even in the third year of the war, the most important of the Etruscan towns concluded a truce with the Romans, and thus destroyed the hope of such a diversion. The expeditions of the Romans into Samnium now became real wars of destruction, for they had no hope of establishing themselves there, so long as a single Samnite was alive: the armies had possession of only the ground on which they stood, and suffered from want of everything necessary for the support of life, the population fleeing into the forest wherever they came. It was in one of these expeditions, that, as before mentioned, the consul, C. Junius Bulbus, fell into such imminent danger. Afterwards, when Q. Fabius was stationed in Etruria, another Roman army



was surrounded in Samnium, and the consul wounded: the distress of the Romans was so great, that a reserve army was formed at Rome, and it was thought necessary to appoint a dictator. The senate had to determine upon the person to be appointed, the curies to sanction his appointment, and to grant him the imperium, and then the consul had to proclaim him. Papirius Cursor was elected, and as one consul was blockaded in Samnium, it devolved upon Fabius, his mortal enemy, to proclaim him. The senate sent a deputation to Fabius, to request him to undertake the proclamation, for it was expected that he would oppose the appointment to the last: Fabius had a severe struggle with himself, which is well described by Livy; but he showed himself to be a man above the desire of revenge. Papirius answered the expectations which the senate entertained of him, he delivered the blockaded army, and defeated the Samnites.

When, after three years' fighting, the Romans had made peace with at least a portion of the Etruscans, they again directed all their forces against the Samnites, and now the petty nations began to perceive what would be the consequences of the victories of Rome. The northern confederacy perhaps, with the exception of the Vestinians, was gained over to the interests of the Samnites, but it was too late; twelve years earlier it would have led to the destruction of Rome: similar things occurred in the history of the French revolution. Those nations thought their kinsmen now sufficiently weakened to assist them without risk or danger. The Hernicans also took part with the Samnites, and the Aequians seem to have done the same, or at least to have favoured them. In A.U. 446, Fabius marched into Samnium, and gained a great victory near Allifae. The exertions of the Samnites had been most extraordinary, for they had availed themselves of the years of the Etruscan war to reconquer Sora, and thereby to re-establish themselves on the Latin road, and to influence the tribes in that neighbourhood. Their efforts were not exclusively directed to

the raising of large armies; but we also hear of special ornaments being bestowed upon their troops, of gold and silver shields; by which, however, we must understand brass shields with gold and silver emblems, like those which have been found at Pompeii, among the armour of Campanian gladiators, which are evidently of Greek workmanship. This circumstance allows us to infer, that the Samnites had received subsidies from the Tarentines, for Samnium had been too much ravaged to permit any such lavish expenditure; the Tarentines probably clothed and paid the soldiers, and we may therefore conclude that the Samnites employed mercenaries. The Tarentines might do this the more readily, as the Samnites kept the Lucanians in submission.

After the battle of Allifae, some Hernicans also were found among the prisoners, and this was regarded by the Romans as high treason; they demanded the surrender of the guilty, and severe punishment was inflicted on the prisoners. Hannibal treated his enemies cruelly, with the view to extirpate them, but he was mild towards allies in order to win them: the Romans followed the opposite system, their object being to force their enemies to recognise their supremacy, and when they succeeded in this, they did not by any means intend to extirpate them, their object at that time being rather to subdue all the Italians, and then gradually to raise them to the rank of Romans. But while they were unwilling to destroy their rivals, they adopted the system of terrifying the small revolted tribes in such a manner as to prevent their attempting to revolt again. Hence they dismissed the Samnite prisoners for a certain ransom, for the Italian law of nations permitted a prisoner to ransom himself; but those who were not Samnites were sold as slaves, and the Hernicans, being guilty of high treason, were distributed amongst the municipia until they could be tried. Three towns do not seem to have taken any part in the war, but Anagnina, Frusino, and the other towns, did not, as Livy says, accept

the terms dictated to them; which were to submit, and ransom their prisoners. The word *caeteri*, in Livy, shews that the Hernicans must then have been a greater people than in the early times, when they consisted of only five tribes. Most of the Hernican towns now took up arms; this was very convenient for Rome, since owing to her excellent system of fortification matters were in such a state that the fortresses in the south occasioned to the Samnites the greatest difficulties in communicating with the Hernicans, who being thus cut off, were so little able to cope with their enemies, that after a battle they purchased a truce for thirty days. This came most opportunely for the Romans, the other army under Postumius being blockaded in Samnium and in great distress. Marcius, therefore, hastened thither, and arrived before matters had come to extremities; the Samnites fought bravely, but the blockaded consul forced his way through the enemy, conquered the Samnite camp, and thereby gained the victory. After this battle and another, a truce was concluded for three months, whereby the Romans gained time to subdue the Hernicans. The proud Anagnia, which then formed a separate state, like Thebes in Boeotia, lost its political existence and became a municipium of the second order; it lost its right to transact business with other states on its own account, but retained the rights of sympolity, that is connubium and commercium; this place and Frusino lost moreover the more important of their magistracies, and annually received a praetor from Rome to administer justice. The other Hernicans, who submitted to the laws of Rome, retained their political existence, but became subjects. This conquest was of the utmost importance to Rome, for the alliance with the Hernicans had become very troublesome. It is probable that the Romans had even previously made attempts to bring about a change, and that these very attempts drove the Hernicans to their insurrection.

As the truce with the Samnites did

not lead to a peace, the Romans traversed Samnium for five months, and, according to Diodorus, destroyed and annihilated with the utmost fury every living thing that came in their way, just as Ibrahim Pasha did in the unhappy Morea. On the part of the Samnites the war became a mere guerrilla war. After such devastations, the Romans themselves were compelled to withdraw from the wilderness they had created; but the power of the Samnites was not yet broken. In the following year, both Roman armies again entered the heart of Samnium, where they were opposed by two strong Samnite armies. The Roman consul Postumius had fought an unsuccessful battle near Tifernum, and his colleague likewise engaged in a battle in the neighbourhood of Bovianum. This campaign greatly resembles that of 1815; Postumius, instead of retreating to his basis, broke up as soon as he heard of the other battle, and in the evening, after the engagement had lasted the whole day, he arrived in right time to gain a complete victory, which decided the war; the Samnite commander, Statius Gellius, was taken prisoner. It was now impossible to raise another Samnite army; the Romans reconquered Nuceria and the towns in the country of the Volscians, Sora, Arpinum, and others. The following year passed away under a truce, during which the Samnites were obliged to keep a Roman army in their own country. At the end of this year, when, according to Diodorus, the war had lasted for twenty-two years and a half, reckoning its beginning from the commencement of the war against Palaepolis, a peace was at length concluded.

The terms of this peace are preserved in a fragment of Dionysius. The Samnites recognised the majority of the Roman people, so that they were not allowed to conclude any treaties, and they withdrew their garrisons from the countries which had before been subject to them. How far their boundaries were altered it is difficult to ascertain; the country of the Volscians of course remained in the hands of the

Romans, but whether Salernum and Buxentum became Roman, cannot be positively asserted, though it is probable; since henceforth the Romans appear to be in direct communication with Lucania; the Frentenians also seem to have been quite separated, and if this was the case, the territory of Samnium would have been considerably diminished on both coasts, and completely cut off also from Tarentum. The claims of the Samnites to the places on the Liris, such as Fregellae and others, were of course given up. Lucania henceforth again appears independent; during the war it had been under Samnium; but now the Roman party gained the upper hand, and the country thus gradually became entirely subject to Rome.

This peace, however, did not last quite five years, for like those of Amiens and Luneville, the very nature of its terms rendered its continuance impossible. The Samnite war was followed by the subjugation of the Aequians, who still clung to their independence. The Romans wished to unite them with their own state, which they effected by a short but fierce war, for the Aequians dwelt in villages on the hills and it was difficult to reach them. The consequence was that they obtained the Roman franchise on favourable terms. The Romans now established a colony at Carseoli, in the country of the Aequians, and another at Alba, on lake Fucinus; the former was directed against Samnium, while the latter revealed to the Marsians and other northern cantons the secret, that they too were to become subjects of Rome. All the passes leading through the Apennines were now closed. The Marsians rose against the Romans, but a peace was very soon concluded, in which the Romans prudently granted very favourable terms, whereby that brave and warlike people was completely won, and became the most faithful ally of Rome. This happened in A.U. 451.

In the mean time the Etruscan war had broken out in A.U. 444. It is a distinguishing feature of the Etruscans, that they observed their truces with

the greatest fidelity; and it was in consequence of this feeling that the Tarquinians did not avail themselves of the circumstances of the Samnite war. The victory of the Samnites at Lautulae, however, appears to have given them the first impulse. It was difficult to bring about a union among the Etruscan cities, for with the exception of Caere, which had concluded a peace for one hundred years with Rome, there were at that time nine states which were to unite for the war, although each had quite different interests.<sup>1</sup> The Tarquinians, for example, had nothing to fear from the Gauls, while other states were threatened by them. In the mean time while they were deliberating, the crisis had already taken place, victory having returned to the Romans, which was another reason for the Etruscans to begin the war. Thus the Romans, as early as A.U. 442, regarded an Etruscan war as unavoidable, and appointed a dictator; but the preparations of the Etruscans occupied so long a time, that even the whole of the year following passed away undisturbed. It was not till the second year after that they commenced hostilities, but they found the Romans prepared; their army was considerable, and they conducted the campaign on the offensive, a boldness which they may have acquired through their fierce wars with the Gauls. As the Etruscans were besieging the Roman frontier fortress of Sutrium, the Romans sent Q. Aemilius into Etruria. Ever since the Gallic war, the mountains of Viterbo had been the frontier towards Etruria; they are now a barren ridge of hills, but at that time they were covered with a thick forest, the *silva Ciminia* of which Livy gives so romantic a description: it was, however, nothing but a natural division between two nations which were not connected by friendship, and wished to have little to do with each other. Such a frontier is often intentionally allowed to become wild by the growth of a forest, as the frontier between the Austrian Croatia and the Turkish Bosnia, where from

<sup>1</sup> Comp. *Hist. of Rome*, iii. p. 276.—ED.

time immemorial the forest has been left to itself, with the exception of a few necessary roads. This forest was by no means like the *silva Hercynia* with which Livy compares it, but was just of such an extent that, according to his own account, the Romans only wanted a couple of hours to march through it. Sutrium and Nepesinæ were the real frontier fortresses of the Romans, but always against Vulturnum, and not against Tarquinii and Falerii, for there the country was quite open and in constant intercourse with Rome. The Roman consul set out to relieve Sutrium, and the battle which ensued is well described by Livy, from whom we learn that for a long time the Romans kept back their strong reserve. This they often did till the very last moment, allowing their regiments to fight as long as they could, and in this way they gained many a victory. Such also was the case on this occasion: after fighting the whole day with the Etruscans, they gained the victory in the evening by bringing up their reserve. Livy states that in this battle the Etruscans lost more lives than the Romans, but that the number of the wounded was greater among the Romans: this arose from the circumstance that the Romans fought with the pilum and the sword, whereas the Etruscans, who wore Greek armour, used the lance, and employed a number of light armed troops. Although we may acquiesce in this statement of Livy, yet we cannot admit the conclusion that the Etruscans were completely defeated, for in the year after they were still encamped before Sutrium, and Fabius went to its relief. The army of the Etruscans was very numerous, and Fabius considered it either dangerous or unnecessary to attack the Etruscans, as in general the Romans were not so much bold as circumspect, and disliked to open a campaign with a battle.

Livy's account of these wars abounds in great exaggerations, which is the more surprising, as otherwise his history of the Fabian gens is very accurate. Fabius Pictor wrote only a hundred years after the war, and he was so excellent an author that we

cannot ascribe the fault to him; he was unquestionably followed by Diodorus, whose description of these wars is quite plain and credible, and altogether irreconcilable with that of Livy: no one knows what authority the latter may have followed. According to him the Etruscans must have lost 400,000 men in the battles, but, even apart from numbers, his account of the siege of Sutrium is wholly incredible. The account of the first battle of Fabius mentioned by Livy is probably founded upon nothing else than the fact, that by a very close march, Fabius succeeded in introducing Roman troops and provisions into Sutrium. When, notwithstanding this, the Etruscans did not raise the siege, Fabius determined to invade Etruria itself through the Ciminian forest, a resolution which the Romans looked upon as fool-hardy. The news of it filled Rome with alarm, and it was believed that the army would necessarily fall between two Etruscan armies; the Etruscans of Sutrium might have cut off his direct retreat, and then he would not have been able to return except by a round-about way through Umbria, which it was likewise difficult to pass. The senate thought his design so rash that five ambassadors and two tribunes of the people were sent to dissuade him from it: the tribunes accompanied the embassy evidently for the purpose of arresting him if he should refuse to obey; but Fabius had hastily broken up, and when the commissioners arrived in his camp, he already stood victorious in the heart of Etruria, like Prince Eugene, who did not read the orders not to fight, till the battle was over. Fabius had pushed his army onward, but he himself remained behind with his cavalry. He left the camp standing, undertook a great reconnoitering expedition, and thereby deceived the Etruscans during the day; but towards sunset he followed his army, and thus unexpectedly crossed the mountain. But according to Diodorus, if rightly understood,<sup>2</sup>

<sup>2</sup> That is, if Ὀμβρίων is read for ὀμβραν. See *Hist. of Rome*, iii. p. 282, note 488.—Ed.



Fabius invaded Etruria by a circuitous route through Umbria, and thus attacked the Etruscans in their rear: in this case the march through the Ciminian forest would be a mere invention.

The rich country satisfied the desire of the Romans for booty; for within the last hundred years no enemy had entered the district, not even the Gauls. The Etruscans now raised the siege of Sutrium, and withdrew towards Perugia, where Fabius gained so decisive a victory over them, that Perugia, Cortona, and Arretium immediately sued for a truce, and then concluded a peace for a series of years. The western towns, Tarquinii, Vulsinii, and Volaterrae, were thus left unsupported, and sued for a treaty on tolerable terms.<sup>3</sup> The Romans were perhaps not inclined to conclude a formal peace, and both parties were satisfied with renewing the truces from year to year. Vulsinii alone resisted for a period of thirty years, always drawing into the war some of the other towns; but the hostilities were constantly interrupted by truces. At Vulsinii the clients had acquired the sovereignty, but afterwards the proud Vulsinians attempted, by a counter-revolution, to cast the new plebes into a state of clientship: and as they did not succeed, they preferred seeing their city destroyed by the Romans to sharing the honours of the government with the commonalty. But this very insurrection of their subjects enabled Vulsinii to hold out so long, while other places, far more favourably situated, were obliged to submit in the very first campaign, for their own subjects were their enemies.<sup>4</sup>

The Romans had also formed connections with Umbria: they had concluded a treaty with Camers, and taken Nequinum, a very strong place on the Nera, near the northern frontier of the ancient country of the Sabines:

they changed this place into a Latin colony under the name of Narnia. By extending their line of colonies to that point, they cut off the communication between Etruria and Samnium: at the same time they established similar fortresses near the mouth of the Liris at Minturnae and Suessa. At Narni, Samnite auxiliaries seem to have been posted; for it is stated in the *Fasti* that Q. Fabius in his fifth, and P. Decius in his fourth consulship, triumphed over the Umbrians and Samnites; the peace was already concluded with Samnium, but it was very common with the Samnites to serve in the armies of foreign nations.

An obvious consequence of the peace with the Samnites is manifested in the relation between the Tarentines and Lucanians. During the war we do not perceive a trace of a hostile feeling between the two people; but from the moment that peace is concluded, hostility breaks out, so that the Tarentines were obliged to seek assistance. This is accounted for by the fact, that until then the Samnites had had the supremacy over the Lucanians, and employed them against the Romans. The Tarentines now invited Cleonymus, because, as our Greek authorities say, they were at war with the Lucanians and Romans; whence we must infer that the Romans were allied with the Lucanians. Cleonymus was a prince of Sparta, son of the aged king Cleomenes; as the succession at Sparta was disputed, and he might possibly be excluded, he readily accepted the invitation of the Tarentines: he was not an insignificant man; but from this time he became an adventurer, and sold his services to several nations. He brought 5000 men with him to Tarentum, there enlisted a still greater number, and compelled the Lucanians to accept a peace. Hereupon he took Metapontum, either in his own name or in that of Tarentum, but oppressed it by exorbitant imposts, and acted there as a real tyrant. His conduct towards the Tarentines was so base, that they broke off their connection with him; they got rid of him by his

<sup>3</sup> In the *Lectures of 1826—7* Niebuhr here also mentioned the battle of Lake Vadimo, which he afterwards seems to have rejected, as may be also inferred from *Hist. of Rome*, iii. p. 284.—ED.

<sup>4</sup> See above, p. 99.

being taken into the service of one of the parties that opposed Agathocles at Syracuse. The undertaking failed, and on his return, Cleonymus found the territory of Tarentum shut against him; hereupon he took possession of Corcyra, which he made his headquarters for further undertakings. Thence he made an expedition against the Sallentines, but was defeated by a Roman general; he then proceeded to Venetia and through the lagunes against Padua; but having gone astray into the muddy marshes, he was obliged to retreat with considerable loss. He thus continued to wander about for more than twenty years longer, after which he returned to Sparta and yielded to circumstances: but still he was deeply mortified. Afterwards he tempted Pyrrhus to his unfortunate expedition against Sparta, and must have died soon after at an advanced age.

From these facts, we must infer things which were passed over in the Roman annals. Not long before, the Romans carried on a war in Apulia

against the Sallentines, who were always on good terms with Tarentum; now as we find the Romans united with the Sallentines against Cleonymus, it is probable that throughout the Samnite war the Tarentines were hostile towards Rome, and that they concluded peace with her at the same time as the Lucanians. The subsequent existence of a treaty between Rome and Tarentum is quite certain, since twenty years later the breach of a treaty is alleged as the cause of the war between them; one of the conditions of that treaty was, that no Roman ships of war should sail north of the Lacinian promontory. This treaty, indeed, is called by Livy an ancient one, but a writer who pays so little attention to precision in the use of words may easily call a treaty ancient which has been in existence for no more than twenty years; it cannot have been concluded at an earlier time, since until then the Tarentines always appear as hostile towards the Romans.

## LECTURE LVII.

AMONG the great men of this period, whom I have already spoken of, we must not omit to mention Appius Claudius, who is celebrated in history under the name of The Blind, having had the misfortune to lose his sight. He is quite a peculiar character; and his actions seem to stand in the strongest contradiction to one another, unless we clearly represent to ourselves the time in which he lived. Being born and bred in the pride of a patrician party, he, as interrex, went so far as to refuse votes for a plebeian candidate for the consulship: this we know from Cicero, and yet he was the first who, setting aside men of distinction, introduced the sons of freedmen into the senate. Contrary to custom and usage, he attempted to usurp the censorship

beyond the time which had long been fixed by the law; and in his old age he appears again as the deliverer of the state, who in time of need roused the senate, which had become pusillanimous.

Such a character seems to be a real mystery. To men like Dionysius and the moderns, who believe that at Rome, as in Greece, the struggle was between the wealthy and the *ἄχλος*, it could not but be surprising that Appius should admit the libertini into all the tribes, and even raise them to the rank of senators. But the matter must be looked at from a different point of view, and we must bring vividly before our minds the party feelings of that period. During the fifty years which had elapsed from the time of the Licinian law, a nobility

had been formed among the plebeians, which already comprised a considerable number of families, and many of them already possessed the *jus imaginum*. The number of illustrious patrician families had become greatly reduced; and it is by no means certain whether the noble plebeian families were not already as numerous as the patricians; most of the latter had become extinct or impoverished, and the names which constantly recur are the Claudii, Cornelli, Sulpicii, and Furii. The plebeians stood to the patricians in the same relation as the nobili of the terra firma stood to the nobility of the city of Venice; if those nobili had become a corporation, as Maffei proposed, they would have formed a plebes, but the nobility of Venice hated no other men so much as those very nobili of Padua, Verona, etc., while they were familiar and condescending towards the common people of Venice. A Roman patrician entertained similar feelings towards his clients, while he hated the order of free plebeians; and a proud patrician like Appius Claudius saw in a Licinius or a Genucius nothing but a detested rival. Such an aristocracy feels the greatest hatred against those families to which it cannot deny an equal rank, and it usually tries to ally itself with those who are furthest removed from all aristocracy. Such alliances occur very frequently in the south of Europe, where history often shews us the aristocracy leagued with the mob, in order to maintain itself; the Santafedists at Naples were Lazzaroni, from the very dregs of the people, and the royal volunteers in Spain consist of the lowest rabble. Appius appears on the one hand as a man of great historical reputation, and on the other, Livy speaks of him as a *homo vafer*, a crafty intriguer, an opinion which does not seem to be quite unfounded. Appius Claudius and other patricians seem to have still entertained the idea of depriving the plebeian nobility of its authority by calling in the assistance of a party which by itself could lay no claim to honourable distinction. Such senti-

ments were unfortunate in every respect, and disturbed the development of the constitution. But Appius Claudius was, nevertheless, a highly distinguished man, and motives may be mentioned to account for his innovations, which to a certain extent even justify them. He admitted the sons of freedmen into the senate, and distributed the freedmen themselves among the tribes: we must start from the latter point.

The peculiar characteristics of the plebeian order were landed property, and a free and independent existence, in contradistinction to the condition of clients. It was necessary for a plebeian, as well as for a patrician, to be well-born (*εὐγενής*, *ingenuus*); hence he, like a patrician, added to his name that of his father and grandfather. A freedman could not mention such a pedigree, for if he himself had been a slave, he could not mention any father at all; and if his father had been released from slavery, he could mention him alone: but if his grandfather had been emancipated, there was no barrier, for he was then perfectly *ingenuus*, and he might be admitted into the tribes. In so protracted a war as that against the Samnites, the number of those bound to military service must have been very much reduced, and the levies must have been felt very severely. It is a remark of Aristotle, that the character of the Athenian demos was greatly altered during the Peloponnesian war, because its numbers were reduced, and the gaps were filled up with freedmen and others. As the Romans adhered to their system of adding only entire tribes, while the gaps in the old ones were filled up but very scantily, and as the levies were nevertheless made in the same proportion as before, the citizens of those ancient tribes naturally were sorely oppressed. It was therefore a natural idea to increase the number of those bound to serve in the legions; but among the Romans, rights and burthens were inseparably connected: whence it is not surprising that a censor should have wished to fill up the tribe, since he who had to bear the

burthen of war, should also enjoy the advantage of belonging to the commonalty. The undoubted right of the censors to enrol people in a tribe, or among the equites and senators, as well as to eject them, obliges us to suppose that the absence of two ancestors was, after all, not an insurmountable obstacle to being entered in a tribe; and it therefore cannot have been a thing so absolutely novel for freedmen to be admitted into the tribes; but there can be no doubt, that up to this time such cases had occurred very rarely, and the innovation of Appius consisted in his distributing the whole body of freedmen among the tribes. This measure had in itself something to recommend it; but the development of circumstances also had to be considered, which must always be conceived as in a state of motion, and in the new state of affairs commerce and trade might acquire a much greater importance than before. If instead of slaves, a large number of *aerarii* had carried on the trades and enriched themselves, all relations would have been changed, and the state would have been obliged to take into consideration any fair demands those persons might have made. No immoderate advantages ought to be given to them, and at the same time it would have been necessary to afford protection to that which actually existed against that which was new and in luxuriant growth. With such principles, free states can always maintain themselves. It was in this manner that a class of men, who are now mentioned for the first time, had been formed at Rome, I mean the notaries or *scribæ*, who were even more numerous than the *tabelliones* under the emperors. They formed a corporation, which in the time of Cicero was a close one, persons being admitted into it by purchase, and it contained people of very different kinds. The business of administration, according to the Roman constitution, required no other knowledge than the *artes liberales*, which comprised everything that a well-educated person had to learn; but the whole mass of business, the transaction of which constitutes the princi-

pal duty of officials, was performed by the scribes. The praetorship, for example, required a vast quantity of writing, but neither the praetor himself, nor any other *homo ingenuus*, had anything to do with it, for it all devolved upon the scribes. This occupation was very lucrative, and all transactions were recorded by them according to certain formularies. These scribes were employed not only by the magistrates, but in all imaginable circumstances, as the Romans committed everything to writing. They kept all the accounts of the aediles, the laborious registers of the censors, and many other similar things, the magistrates themselves only superintending such records. The *scribæ* were also employed by the bankers (*negotiatores, equites*), for every Roman was obliged to keep accurate accounts of his income and expenditure, which was demanded even by public opinion, for a person who neglected to do so would have been considered a *homo levis*, and many Romans kept a scribe for that purpose.

This class of men now appeared for the first time, and became at once a body of great importance through Cn. Flavius. If Appius wished to deprive the plebeians of the position they had gained, it was no longer the time to take up arms along with clients and isopolites. He was obliged to act with cunning, and this he did by connecting a large mass of men with the patricians, and introducing the *libertini* among the tribes; for by this means he secured a majority in the decision of the plebes. In like manner, the *municipes* might be useful to his plans, and even in the senate he might carry things which would formerly have been utterly impossible, by removing, in his capacity of censor, the independent plebeians from it, and by introducing in their stead persons of low birth. Something similar was done by Sulla, who in his legislation likewise went back more than two centuries, and, ostensibly for the good of the aristocracy, introduced a number of proletarians, or people of the lowest orders, into the senate. Such also has



been the case in France, where at this day there are many people, who during the revolution rose from the lowest ranks. Some of them endeavoured to conceal their low origin by titles and the like, and of others the descent is forgotten by the public. From the censorship of Appius we find in Livy a distinction between *plebs sincera* and the *forensis factio*. The former are manifestly the ancient plebeians, and the latter the libertini and isopolites.

Those who were newly introduced into the senate were of course only to be the creatures of Appius Claudius and his party. He assuredly never thought of making himself tyrant; he had too much good sense for that: his son indeed is said to have contemplated it, but he must have been a madman. His plan therefore can only have been to further the interests of the aristocracy. His enrolling the libertini in the lists of the senate, however, created such indignation, that the consuls in defiance of him called up the senators according to the previous lists, for Appius seems also to have struck out some names of senators, probably of plebeian ones: and his list of senators never acquired legal validity.

The duration of the censorship had long since been reduced from five years to eighteen months; but Appius claimed the office for full five years, and gained his end until he wished to be consul and censor at once. This was contrary to the Genucian law, and the tribunes had resolved to arrest him if he should attempt to carry his plan by force: this induced him to give up the censorship. It is possible, however, that he wished to prolong his office, not so much from a desire to rule, as because the execution of the great works which he had commenced required it. He constructed the Appian road, the queen of roads, because the Latin road, passing by Tusculum, and through the country of the Hernicans, was so much endangered, and had not yet been quite recovered by the Romans: the Appian road, passing by Terracina, Fundi, and Mola, to Capua, was intended to be a shorter and safer one.

He first made the road as far as Velitrae, and then as far as Setia round the Pomptine marshes, for the road leading through these marshes was not made by him—that which was afterwards made there for the Roman troops was of little use,—but he made a canal through them in order to drain them to some extent, for it was not possible then, and probably never will be, to drain them completely. The object of this canal was to convey warlike stores from Cisterna to Terracina, which was very necessary, as the Romans had no fleet, so that the Tarentines might easily prevent their communication with Campania by sea. The main road for the troops passing over the mountains and past Setia, was called *Via Setina*, which for this reason is specially mentioned in the list of roads; it is the same as that which throughout the middle ages down to the time of Pius VI. was again the ordinary road, when the Pomptine marshes were abandoned. The Romans chose this road, because the distance between Cisterna and Terracina through the marshes was too great for one day's march. Forum Appii it is true was situated on the canal between those two towns; but it was probably inhabited only in winter: on the *Via Vetina*, on the other hand, the armies might in summer nights bivouac on the hills. Had they attempted to spend a night in the Pomptine marshes, they would have been destroyed by virulent fevers; this shews the necessity for the *Via Vetina*. The Appian road, even if Appius did carry it as far as Capua, was not executed by him with that splendour for which we still admire it in those parts which have not been destroyed intentionally: the closely joined polygons of basalt, which thousands of years have not been able to displace, are of a somewhat later origin. Appius commenced the road because there was actual need for it; in the year A.U. 457, peperino, and some years later basalt (*silex*), was first used for paving roads, and at the beginning, only on the small distance from the Porta Capena to the temple of Mars, as we are distinctly told by

Livy. Roads constructed according to artistic principles had previously existed, and along both sides of them there ran footpaths paved with square blocks of peperino (*saxo quadrato*). It was especially the money raised by fines that was employed for paving the roads with basalt.

Appius was also the first who built an aqueduct to provide Rome with water, the *Aqua Appia*. The Roman aqueducts of later times were of immense extent, but that of Appius was only a small beginning, and made merely to supply the actual want. The Romans obtained their water from wells, but principally from cisterns (*plutei*), as the water of the Tiber is not fit to drink. The districts situated in low and marshy ground, as the Velabrum and Forum Olitorium, had of course no wells, and were therefore limited to cisterns, and it was the object of the *Aqua Appia* to provide those districts with water, which was brought from a distance of eight Roman miles. It was built after the year A.U. 440, during the war against the Samnites, when fortune began to turn in favour of the Romans. It ran, as Frontinus says, under ground, that it might not be destroyed in war, or during the many insurrections of the Latins; for a structure of arches above the ground might easily have been destroyed, as was done by the Goths in the time of Belisarius. It passed by the Caelian hill, below the Porta Capena to the spot near the Aventine, where it was discovered by Piranesi, near the Clivus Sublicius at the corner of the hill. Its issue is now obstructed, the water having in the course of time become corrupted by the numerous stalactites, as has happened in many other aqueducts. This supply of water was a blessing to Rome, such as was not known in any part of Greece.

It is said that a wish to complete these two works induced Appius not to lay down his censorship. Much is written about the contest between him and the tribunes: if it was only his intention to complete his works, it would certainly have been mean on the part of the tribunes to oppose him;

but the works were perhaps undertaken on too large a scale for the circumstances of those times, and the question is, did he not overburden the generation of his own time for the good of posterity? According to an account of Fabius, who, although himself a patrician, was opposed to the oligarchy, and from whom Diodorus here derives his information, Appius undertook those works even without the authority of the senate, and if so, his mode of acting was certainly audacious, though not inconsistent with his character. He seems also to have sold portions of the *ager publicus* for that purpose; by this measure the plebes suffered, it is true, but his own order likewise sustained a loss.

His real agent in all these matters seems to have been Cn. Flavius, the son of a freedman, who therefore could mention only his father, whose name was Annius. This is an Etruscan name, whence we may infer that he was probably an Etruscan prisoner, though in his own country he may have been a man of distinction, who by his captivity lost his *ingenuitas*. Cn. Flavius became the benefactor of the people in a manner which we cannot easily comprehend. According to the earliest Roman custom, the year of ten months contained thirty-eight court days, i.e. every eighth day was a court day, so that the kings, and subsequently the consuls, held their courts on the *nundines*. This was afterwards altered, it being intended that the *nundines* should no longer coincide with the court days, as on the *nundines* the plebeian country people assembled in the city in large numbers, so that a tumult might easily break out. Those thirty-eight days therefore were distributed over the whole year of twelve months; and as their number was too small, some other days were added on which likewise *lege agebatur*. But there now arose a double difficulty, of which the patricians made use for the purpose of keeping the plebeians in a state of dependence: the thirty-eight days were distributed over the whole year without any regular order; and if, for example, a person wished to bring for-

ward a *vindicatio*, he, not knowing when the praetor was to hold a court, had to make enquiries in the forum or of the pontiffs on what day a *legis actio* could take place. It may indeed be said that persons might have marked for their own use those thirty-eight days; but there were other days which were half *fasti* and half *nefasti* on which also *lege agebatur*; and others again on which comitia might be held, but still not *lege agebatur*. Now it is related, that Appius Claudius ordered his scribe Cn. Flavius to inquire continually of the jurists on which days *lege agi posset*; and in this manner he is said to have drawn up a calendar on a table covered with gypsum (*album*), and to have set it up in public; many copies were then taken of it, and the plebeians were full of gratitude towards him. But in order to secure their independence still further, he also published the *formulae actionum*; according to Cicero, this was done after the time of Flavius, because the formulae themselves are said to have been devised subsequently, but the statement of others that Flavius was the author of this measure is more probable. We must not consider this to have been a system of law, though it is commonly called *jus Flavianum*; it merely contained the formula for each particular case. The influence of the nobles over the lower orders received a severe blow by this measure, for until then no one had been able to transact any business without the assistance of a lawyer; certain kinds of business could be transacted only on certain days, etc. The publication of these formulae was a great step towards civil freedom.

The gratitude of the plebeians for these benefits secured Cn. Flavius their votes, when he came forward as a candidate for the aedileship: it was said against him that he could not become aedile *quia scriptum faceret*, but he promised on his oath that he would give up his profession as a notary; from which we see that at that time the occupation of a scribe was still incompatible with *ingenuitas*. Along with him was elected Q. Anicius of

Praeneste, who only a few years before had been an enemy of Rome, and who may have been the founder of the family of the Anicii, so illustrious during the latter period of the Western empire; their competitors had been two distinguished plebeians, Poetelius and Domitius, which shews that isopolites and libertini, the *factio forensis*, here united to decide the election. Pliny tells us that Flavius made a vow, *si populo reconciliasset ordines* (*populus* here are the patricians); and as he performed what he had then named, he must have accomplished the reconciliation. It seems to me not improbable that in the subsequent censorship of Fabius and Decius, Flavius acted as mediator, and induced the libertini to allow their own rights to be curtailed as much as the good of the republic required. For the enrolment of the libertini among the tribes caused great disturbances down to the censorship of Q. Fabius Maximus and P. Decius, when (A.U. 449) a reconciliation was brought about: it was impossible to deprive the libertini of all their rights, but they were thrown together by Fabius into four tribes, the *tribus urbanae*, which henceforth remained the *tribus libertinorum* and hence *minus honestae*. This measure was followed by the most salutary consequences; for if we consider that the votes were taken in each tribe separately, and that in each the majority decided, we may easily imagine that if the libertini, who carried on trade in the city, were distributed among all the tribes, they, being always on the spot, would naturally form the majority in assemblies convoked on a sudden so that only a few of the country plebeians of each tribe could come to the city. In this manner all the power would have fallen into their hands, whenever the commonalty had to assemble on any sudden emergency; and without the wholesome reform made by Fabius, the system of Appius would have been highly pernicious.

Another change, the abolition of the *nexum*, likewise belongs to the period of the second Samnite war; Livy places it in the consulship of C. Poetelius and L. Papirius, but Varro, ac-

cording to a correction founded upon a manuscript, states that it took place in the dictatorship of Poetelius in A. U. 441. This also agrees with the statement, that the poverty of the families of those who were in bondage for debt was a consequence of the defeat at Caudium. We here see till how late a period certain occurrences, which do not actually belong to the political history, continued to be arbitrarily inserted in the annals. A young man who was ill-used, ran to the forum, and a tumult arose, and this is said to have brought about the abolition of the *nexum*, so that henceforth neither the persons of debtors nor their children were answerable for debt. This exhibits to us a state of things, in which the multitude has already acquired great power; there can be no doubt that even as early as that time, persons in fact pledged themselves by *fiducia*, when they had quiritarian property; and this system of pledging may have become more general, in proportion as quiritarian property increased among the plebeians; henceforth this was the only pledge that was legally allowed, and it was forbidden to pledge one's person. But if a man became involved in debt by a *delictum*, the *addictio* still remained in force, and he had to remain in it, until he ransomed himself; examples of it occur even as late as the Hannibalian war. The continuance of this relation has deceived many, and raised doubts in regard to the law of Poetelius, but *addictio* is something quite different from *nexum*. Livy calls this law *novum initium libertatis plebis Romanæ*.

After the close of the second Samnite war, in A. U. 452, the Ogulnian

law raised the number of *pontifices majores* from four to eight, and that of the augurs from four to nine, the additional priests being taken from among the plebeians. The ninth pontiff was the Pontifex Maximus, who was undoubtedly chosen indifferently from both orders. Afterwards *cooptatio* was established, but whether this was so from the beginning, is uncertain. Twenty years later Ti. Coruncanius was the first plebeian Pontifex Maximus. Livy gives us the *suasoria* of Decius on the occasion of the Ogulnian law, but the speech is not quite in character with the age, for the patricians themselves then knew right well, that they could no longer maintain their privileges. This change in their convictions appears very clearly in the circumstance, that although the appointments to those priestly offices were undoubtedly made by the *curies* or by the *cooptatio* of the colleges themselves, yet the law was not violated at all, and the plebeians were at once admitted to those offices. Thus the reality of circumstances had conquered the mere letter of the old institutions; nominally the distinction between patricians and plebeians was still kept up, but the parties of the nobility and non-nobility were already in existence, and the former comprised all distinguished patrician and plebeian families.

Admission to the priestly offices was a matter of great interest to the plebeians, as the pontiffs were the keepers of the civil law and of the whole *jus sacrum*; and the augurs, whose words were still received in good faith, exerted much influence upon all matters of importance.



## LECTURE LVIII.

THE peace between the Romans and the Samnites lasted scarcely four years: during that interval the Samnites had prepared for the continuation of the war by the defence of Nequinum or Narnia, for they only wanted rest to recover themselves. According to the terms of their peace with Rome, they were obliged to abstain from every kind of hostility against the neighbouring states; but this was impossible. In Lucania, disputes between the two parties soon broke out; that country had recovered its independence and commenced hostilities against Tarentum; the Samnites then declared war against Lucania, and the Lucanians being thus threatened placed themselves under the protection of Rome. As the Romans did not like to see the Samnites recovering strength, they required them to give up their Lucanian conquests in accordance with the terms of the peace. The Samnites returned a haughty answer, and cautioned the Roman ambassadors against their appearing in Samnium. In A.U. 454, while the war was still going on in Etruria with some towns, though interrupted by truces, a fresh war broke out with the Samnites. The Apulians were allied with Samnium, for Apulia was too distant for the Romans to maintain their dominion in that quarter; the Sabines also were favourably disposed towards the Samnites, with whom some of them were even in alliance. Circumstances were thus somewhat more favourable to Samnium than before; but Rome's power, on the other hand, had been so much enlarged, that she was now a far more formidable enemy.

This war took a very different turn from that of the earlier ones, whence we must infer that circumstances also were different. The Romans did not now transfer the war to Apulia, either because the Apulians had revolted

from them, or because other considerations prevented them. They attacked the Samnites right in their front, and the latter did not enter the Aequian country, but proceeded to the Falernian district, in the neighbourhood of Vescia. The war lasted eight years, and was even more destructive to the Samnites than the earlier ones; but they conducted it with great vigour, and their whole plan, though not crowned with success, is one of the grandest recorded in history: but *victrix causa Diis placuit*. In the very first campaign the Romans appeared in the interior of Samnium, and penetrated into Lucania to assist the Lucanians; the same campaign, however, was at times unfavourable to the Romans, though they did not lose any great battle.

In the year 455, both the Roman armies commanded by Fabius and Decius were in Samnium and carried on a destructive war, the accounts of which in Livy appear to be perfectly authentic: he made use of genuine memoirs, and yet they often contain statements which are quite irreconcilable. The Romans moved from place to place, and wherever they pitched their camp, they destroyed all around every trace of cultivation. Fabius encamped in eighty-six, and Decius in forty-five places: few towns were taken, because the Samnites on their heights defended themselves with such undaunted courage that the Romans were unable to take them. In A.U. 456 Volumnius and Appius Claudius were consuls, and Decius pro-consul; Volumnius is said to have defeated the Samnites again and again, and to have finally compelled their army to take refuge in Etruria: this is a disgraceful misrepresentation of the heroic courage and the great design of the Samnites. Their army was so far from having been driven from the country, that Gellius Egnatius fought in Etruria

for several years, and even after the destruction of his army, the Samnites maintained themselves during a long time in Samnium: their great idea was to abandon their own country to the enemy, and to transfer the war to Etruria. Within the last hundred years, the Etruscans had become better acquainted with the Gauls, of whom those who were settled in Romagna had no desire to emigrate, and were engaged in peaceful agricultural pursuits; few only allowed themselves to be prevailed upon to serve as soldiers in the armies of other nations. But as the commotion among the tribes north of the Alps still continued, the Transalpine hosts from time to time crossed over into Italy, and then created new commotions among the Gauls. Such a commotion must have taken place about this time, and the Etruscans availed themselves of it to take the Gauls into their pay against Rome: it must have been very difficult for them to make up their minds to such a measure, for if the Gauls had settled on the Lower Tiber on the ruins of Rome, Etruria would have been surrounded by them and destroyed. But passion and hatred against Rome were stronger than prudence. The Etruscans, with the exception of a few places, had again taken up arms, trusting to the aid of the Gauls, and they violated even their wonted fidelity in keeping their truces; Perugia, for instance, did not observe its peace of thirty years. As the Etruscans were a wealthy people, and when assisted by their serfs also a strong one, but were in want of able generals, the Samnites resolved to march through the country of the Pentrians, Marsians, Sabines and Umbrians into Etruria. This does not form a parallel to the heroic conduct of the Vendeans, who in October 1793 with their whole population crossed the Loire, abandoning their country to the enemy, because they could not defend it. The Samnites were a mere army, and the Romans did not oppose them in their passage. This march of the Samnites is one of the most brilliant feats in ancient history, and

created no little consternation at Rome.

It was difficult for Gellius Egnatius to unite with the Etruscans, on account of the new Roman colonies. The Samnites were obliged to pass by Antrodoco; and Volumnius followed them, but was unable to prevent their reaching and joining the Etruscans. This happened in A.U. 456, and so far were the Romans from regarding the Samnites as fugitives, that the consul Volumnius was commanded by the senate to transfer the war from Samnium to Etruria, where Appius Claudius did not seem able to cope with the enemy. The latter, in his patrician pride, regarded this as an insult, and demanded that Volumnius should quit the province; and this great and insolent folly might have placed the very existence of the republic in danger. Volumnius was willing to return, and only the entreaties of his army prevailed on him to remain. In this year the Gauls did not stir; and it is possible that the expected hosts had not yet come across the Alps.

The campaign of the year 457 decided the fate of Italy, and the Romans made enormous efforts. One detachment remained behind on the frontier of Samnium, in order to prevent the Samnites from acting on the offensive against Rome; it perhaps consisted mainly of Campanians and Lucanians, but it acted only on the defensive. The army under the proconsul Volumnius marched against the Gauls, and the old consular army of Appius, which was stationed in the neighbourhood of Foligno, was reinforced by two new legions which Fabius had levied. There were, moreover, two reserve armies, consisting of such men as took up arms only in times of need, probably nothing but a militia, armed with spears: one was stationed on the Vatican hill outside the city; the other had advanced as far as Falerii for the purpose of keeping up the communications. The consul Decius proceeded to the army to undertake the command of the legions, and Fabius brought him reinforcements. The Romans had established themselves

among the Umbrian mountains in the neighbourhood of Nuceria, where they were encamped, and one detachment proceeded to Camerinum<sup>1</sup> on the northernmost slope of the Apennines, in order to prevent the Gauls from marching through the passes to Spoleto in the rear of the Romans. The Gauls, it must be conceived, came by way of Ariminum and Sena and crossed the Apennines. Polybius here assists us in forming a clear idea of these movements. The legion which had been pushed on as far as Camerinum, was taken by surprise and entirely cut to pieces, so that the Romans knew nothing of the defeat until the Gallic horsemen came up and exhibited the heads of the slain on their spears.

The Etruscans, Samnites, and Umbrians, who had hitherto remained on the defensive, now drew close together, and the two Roman commanders again ventured upon an extremely bold enterprise: ἀσφάλεια, or caution, is commonly the prevailing feature in Roman tactics, but in circumstances like these they were obliged to risk every thing in order to gain every thing. They marched sideways against an enemy immeasurably superior to them in numbers: the main army proceeded from Nuceria, across the Apennines, which are not very high there, to Sentinum; the Gauls and Samnites were stationed on the right, the Etruscans and Umbrians on the left. Between these armies they marched onwards until they came to the district where the Apennines sink down into mere hills towards the Adriatic; it appeared as if they intended to invade the country of the Senones, but the latter instead of coming forward returned to their frontier, and the Romans drew themselves up *en échelons*. The consuls then ordered the reserve armies to advance; and Cn. Fulvius marched from Falerii (Civita Castellana) into the position which the main

army had abandoned, and was sent to Assisium in the neighbourhood of Perugia. The mountain there is very high and strong, so that he could make inroads into the country, and tempt the Etruscans to separate themselves from the Gauls. All this must be looked upon as certain; but I suspect that the second reserve army which had been stationed on the Vatican also followed as far as Falerii. There can be no doubt that at Rome, all preparations were so far completed as to enable the citizens to resist any sudden attack which might be made from Samnium. There is another point which can scarcely be doubted, although Polybius only supposes it: the Romans must also have withdrawn Volumnius, who opposed the Samnites in their own country, so that he arrived on the decisive day, after a hasty march through the country of the Sabines, on the road leading by Terni. Samnium was thus left to its fate.

The diversion of Fulvius towards Perugia was crowned with the most complete success. The Etruscans and Umbrians sent considerable detachments of their main army to their respective countries, in order to protect their frontiers from the ravages of the Romans: these were the best troops of the Etruscans, whereas the Romans under Fulvius were the worst. The two consuls, Q. Fabius V. and P. Decius IV., are the only commanders mentioned in the battle; but there can be no doubt, as I have already mentioned, that Volumnius also was present as proconsul: the Roman forces amounted to about fifty or sixty thousand men, who were opposed to an infinitely more numerous enemy. There were many reasons for proceeding to Sentinum which are not mentioned by the historians, but which can be distinctly perceived: the first was to draw the Etruscans away from their country, so that in case of their being obliged to retreat, they would be separated from their allies, and have to march along the curve of which the Romans had intersected the chord: the second object was to alarm the Gauls for their own country, and it

<sup>1</sup> Not *Clusium*, as Livy says, for this was called in Umbrian *Camers*. Polybius has the right name, and even a mere consideration of the nature of the country might shew us that Clusium cannot be meant.—N.

was to be expected that a great number of them would disperse to protect their open villages : lastly the Romans dreaded the ἀπόνοια of the Gauls. If they had cut off the retreat of the Gauls in the south, they would have compelled them to fight with the courage of despair, but now the retreat into their own country was left open, though they had not yet crossed the mountains.

We here see how thoughtfully and energetically the Roman commanders acted : their wisdom was rewarded with success. But the numbers of the enemy were so overwhelming, that the Romans did not rely on the efforts of human valour alone : Decius on quitting Rome had resolved, in case of need, to devote himself to the infernal gods, and for this purpose he had induced the plebeian pontiff M. Livius to accompany him and to perform the solemn ceremony in the midst of the battle. Decius faced the Gauls, Fabius the Etruscans, Umbrians, and Samnites, and the legions of Volumnius were probably stationed between them. The Samnites were by far the most formidable among these enemies. Fabius, like every other great general,<sup>2</sup> had something peculiar in his mode of conducting a battle : he spared the reserve till the very last moment—a manœuvre the practicability of which entirely depends upon the nature of the army ; for it can be done with a very well disciplined army, but it would expose one consisting of young soldiers to the danger of being completely defeated : when the battalions in front were almost cut to pieces, he brought up his fresh reserve, with which he almost always gained the victory. Such also was his plan now against the Samnites. But Decius

who faced the Gauls necessarily pursued a different method : the fact that the Romans fought against every enemy in a peculiar manner, constitutes their greatness in battles. The wars of the Greeks are infinitely less attractive than those of the Romans ; for with the former the phalanxes attacked one another as inflexible masses, whereas the whole of the Roman tactics is light and elastic ; and Polybius, who was himself a great tactician, considered it suitable under all circumstances. Fabius endeavoured to wear out the Samnites, because it was summer, the heat of which was much more easily endured by the husbands of a warm climate, than by the Samnites who lived in the mountains and cold valleys. It would certainly have been very easy to exhaust the Gauls also in the heat of the sun, but they formed an innumerable host which threw itself upon the enemy with the utmost vehemence : the first shock was the worst, but if that was successfully resisted, victory was tolerably certain. Decius did every thing he could to stand against that first shock, but in vain : the numerous cavalry of the Gauls, although at first repulsed, again pressed forward with irresistible force, and then the Gauls brought up their thousand war-chariots, which were a frightful sight for the horses of the Romans. The horses were terrified and took to flight, notwithstanding the efforts of the horsemen to prevent it. The armies faced each other for two days, and on the morning of the third the Romans had an omen which promised them the victory : a hind was chased down the mountains by a wolf, which overtook and tore her to pieces. Nevertheless the day seemed to be lost, when Decius, following the example of his father, devoted himself to death : he rushed among the Gallic hosts, adding to the form of devotion the prayer that terror and death might go before him. A panic is said to have seized the hostile army, which checked them in their pursuit of the Romans. Be this as it may, it is one of the stories which might make one believe in miracles ;

<sup>2</sup> A general is an artist in the highest sense of the word, and may always be distinguished from others by the peculiarities of his movements. During the wars of the revolution, I acquired so accurate a knowledge of the peculiar manner of each general, that in very important cases I was able to predict how Napoleon, for instance, would act : many of my friends did not believe what I said, but my prophecies usually turned out to be true. —N.



but these are things which we can only touch upon gently, and which may easily be abused. The death of Decius decided the battle: the Romans rallied, collected the *pila* upon the field of battle, and hurled them against the Gauls. The Gallic cavalry had advanced too far: it was surrounded and cut to pieces, and Fabius, who had already conquered the Samnites, sent his troops as a reinforcement, and then brought up the reserve also. The Gauls now stood together in a dense and immovable mass like the Russians in the battles of Zorndorf and Austerlitz, and dispersed only to take to flight; the Samnites, Etruscans, and Umbrians retreated to their camp with less confusion. The Romans are said to have lost 7000 men of the one army and 1200 of the other; the Gauls lost 25,000, and from 7000 to 8000 are said to have been taken prisoners. After the battle the Gauls withdrew to their own country, quite unconcerned about the further progress of the war, just as if they had been mercenaries. The Samnites again executed an exceedingly bold undertaking: Gellius Egnatius himself had fallen in the battle or during the retreat; and the Samnite army was again obliged to march round that of the Romans or

through the midst of it, pursued by Volumnius, and attacked by the people through whose territory they passed, and which they were obliged to plunder in order to obtain subsistence. When they reached Samnium their number was reduced to 5000 or 6000. Thus ended a campaign which, in regard to achievements, battles and design, is the greatest known in the early history of Rome. The statements of the numbers of the armies are corrupt in most manuscripts: Livy mentions 40,330 Gallic foot and 46,000 horse; the first number has been left unaltered, but the 46,000 have been reduced to 6000; whereas the numbers should be 1,000,000 foot and 46,000 horse.<sup>3</sup> These however are not historical numbers, but such as belong to the chronicles. The battle of Sentinum was so glorious that even the Greeks heard of it; and Duris of Samos, in his history, mentioned that 100,000 Gauls had been slain, a number which shews the standard by which the victory was measured, and rendered it conceivable how the chronicles could speak of an army of 1,000,000 foot soldiers.

<sup>3</sup> For the reasons in support of this assertion see *Hist. of Rome*, iii. p. 385, n. 647.—ED.

## LECTURE LIX.

A CAMPAIGN of such historical importance, greatness and artistic excellence, as that of the year 457, fills our hearts with grief, and at the same time with the highest respect. The end of the third Samnite war brought sufferings and destruction upon Samnium, and however miscalculated the exertions of the Samnites may appear, yet they were great and noble. I shall relate the end of the war very briefly. It was continued in the same manner as before till the year 461, when it was brought to a close (peace was not concluded till A.U. 462). The Samnites renewed their attempts to penetrate

into Etruria, but in vain. The Romans clung to the heart of Samnium, where they destroyed all cultivation; and the Samnites took vengeance by acting in the same manner in the Falernian district between the Liris and Vulturnus. It must be remarked in general that during the last years of the war immense exertions continued to be made, and in the very year of the battle of Sentinum, the Samnites made a predatory excursion through Campania. In the second year<sup>1</sup> after

<sup>1</sup> Throughout this period I follow the Catonian era; in Varro and in the Capitoline

the battle, we hear of two great armies which they sent into the field, and one of which pledged itself by a most solemn oath to fight to the last man. The marvel is, where the Samnites found their forces, and how they could afford to equip their soldiers so richly; for Livy mentions that their shields were covered with gold and silver. Such magnificence among a people which had been subjected to so much suffering sounds fabulous;<sup>2</sup> but it is an historical fact that the consuls Postumius and Carvilius, in their victories over the Samnites, obtained spoils of extraordinary splendour, and that out of one portion of them a colossus of brass was erected in front of the Capitol.

The war was in reality decided as early as A.U. 459, by the consuls L. Papirius and Sp. Carvilius. It is characteristic of the mode of warfare that the Samnite towns, both at this time and afterwards in the Sullanian wars, disappear so entirely from the face of the earth, that in the geography of later times they are entirely unknown, and that, as I have been assured by competent persons, no Samnite monuments are to be found in those districts. The last great battle was fought in the year 460, when Q. Fabius Gurgus, the son of the great Fabius, marched into the country of the Pentrians. The Samnites were commanded by C. Pontius, the hero of Caudium, whence we must infer

that the Caudines also took part in the war. The Romans were defeated and lost all their baggage; they fought their way through the enemies indeed, but were unable to continue the campaign. When the news of this defeat arrived at Rome, Fabius entreated the senate not to deprive his son of the imperium as had been resolved; and he not only succeeded in his petition, but was permitted, in the capacity of a legate, to go to his son with reinforcements: this was the noblest reward which the republic could give to that great man. He now gained quite a decisive victory, by which, as Orosius correctly remarks, the war was brought to a close, for Eutropius, who states that the war lasted one year longer, is so careless a writer, that no weight can be attached to his assertion. The result of the victory was horrible: C. Pontius was taken prisoner, led to Rome in triumph and then executed. Roman history has no greater stain than this: the fate of Pontius even at this day deserves our tears, and the conduct of Rome towards her generous enemy, our curse. His native city must have been destroyed about that time, to efface every memorial of the deeds of which it was the scene.

At the end of this war, when it was too late to give events a different turn, new allies came forward in support of the Samnites. These were the Sabines, whose peace with Rome had then lasted one century and a half, and in such a manner that we must believe they had the Roman franchise, as is in fact stated by an otherwise untrustworthy author. This may have induced the Romans to grant peace to the Samnites, although they were not annihilated. The terms of the peace are unknown, because the books of Livy and Diodorus relating to this period are lost; but it is self-evident that the Samnites were obliged to give up their alliance with Apulia, and that the boundaries of the Roman dominion were extended. By this peace the Romans were enabled to establish the great colony of Venusia, the birth-place of Horace, on the frontier of Apulia; 20,000 colonists are said to

Fasti entire years are interpolated. The difference arises from an immense blunder which Varro makes in the interval between the taking of Rome by the Gauls and the Licinian law. According to him the taking of Rome falls three years earlier than is stated in all the other accounts; from the foundation of the city to the conquest, Varro and Cato agree with each other. Varro's calculation is connected with that of the Greeks, whence the Varronian era is sometimes used for synchronistic purposes. But not one ancient historian has adopted this patchwork; and Polybius in particular uses the Catonian era, which must be preferred for this reason also, that we can always state with certainty why Cato calculated in this manner and not otherwise. A perfectly satisfactory chronology of Roman history is an impossibility, for it was not till the first Punic war, that the commencement of the year was fixed.—N.

<sup>2</sup> See above, p. 288.

have been sent thither; and if this be true, the colony must have received a large territory. It separated Samnium from Tarentum, and its importance gives some probability to the statement of the great number of colonists: in the war against Pyrrhus it saved Rome; but for it the army of Laevinus would have been completely destroyed after the battle of Heraclea. At a somewhat later time, the Romans founded another colony at Aesernia, in Samnium.

The Sabines were chastised by M'. Curius. They consisted of several loosely connected tribes: Amiternum had been allied with the Samnites even before, and was taken in the third Samnite war. There can be no doubt that until then the Sabines were protected by the dread with which the Romans looked upon the Gauls: but now the Sabines seem to have been required by the Romans to accept of the Caerite franchise (synpolity), and as they declined to do so, a war broke out. As nearly all the Sabine towns were open places, the contest was short, and occasioned little bloodshed, and the conquest easy; the booty was immense, owing to the long period of peace which the Sabines had enjoyed.

This Sabine war led to a great assignment of public lands, for their numerous and important wars had thrown the Roman people into great distress. Something similar is mentioned by the excellent bishop Massillon in his funeral oration on Louis XIV. All those great victories appear to us to be brilliant in a political point of view, and the whole period is a splendid one; every one must feel that if he had been a Roman he would have liked to live at that time and amongst those men; but all this splendour was only a cover of very great misery: such circumstances have too often been overlooked in ancient history; for men are generally so much dazzled by brilliant exploits, that they do not perceive the misery that lies behind it. However much St. Augustine and his friend Orosius may exaggerate, yet in reality they are not very far wrong. Before the battle of

Sentinum, a miracle had happened: the statue of Victoria was found taken down from its pedestal and turned towards the north, and milk, blood, and honey, flowed from her altar. This gave a wide scope to interpreters, who said that as the goddess was turned towards the enemy, she promised victory to the Romans; the blood was supposed to denote the war; the honey to be a sign of the plague, because honey was usually given to persons suffering from that disease; and the milk was interpreted to mean scarcity, as indicating the necessity of dispensing with corn, and of making use of that which was produced spontaneously. This interpretation is so forced, that we see at once that it cannot be very ancient; but it is a poetical exposition of what actually happened. A plague was then extending its ravages, far and wide: it probably did not originate at Rome, but in Umbria or Samnium; it may have been the consequence of the calamities of war, but it is possible also that it was connected with other occurrences. That period, in general, was one of great physical revolutions, and there are traces which shew that all nature throughout Italy was then in a convulsed state. Earthquakes began to be frequent in this century, and continued to be so till the end of it, when they became dreadful; the winters were extremely cold, and there was an eruption of the volcano in the island of Ischia. Epidemics must have raged all over Europe, and according to Pausanias, a fearful plague, which completed the depopulation of Greece, raged in that country at the time of Antigonus Gonatas. In A.U. 460, according to Livy, it was raging at Rome, already for the third year. There can be no doubt that Latium was also visited by famine, in consequence of the devastation of Campania, the granary of Rome. By the command of the Sibylline books, the Romans sent an embassy to Epidaurus for the purpose of fetching Aesculapius to Rome. It consisted of Q. Ogulnius and another person, who having arrived with their trireme,

explained their request to the people of Epidaurus. The senate of the city referred them to the god himself, who during the *incubation* promised to follow them, and a gigantic serpent crept forward from the adytum, and remained on the deck of the trireme. When, on its return, the ship arrived at the mouth of the Tiber, the serpent leapt into the water, and swam up the river till it reached the island opposite the city, where the temple of Aesculapius was afterwards built. This embassy to Epidaurus cannot be doubted at all, nor can it be disputed that a sacred serpent was brought to Rome from that city. Harmless serpents were kept in the temple of Aesculapius at Epidaurus; and at an earlier period such a serpent had been conveyed from Epidaurus to Sicyon in a waggon drawn by oxen. The groundwork of this legend is true, but all the detail is a poetical addition: we are here on ground quite different from that of former times. The story is further remarkable, because it shews the Greek ideas were then by no means foreign to the Romans.

During this great distress, there arose at Rome on the one hand, great debts, and on the other, a desire for a better state of things. The booty which Curius brought with him after his victory over the Sabines was so great, that the historian Fabius (quoted by Strabo) says that through this victory the Romans for the first time became acquainted with wealth; most of it, independently of money, undoubtedly consisted of cattle and land: of the latter, Curius declared there was so much, that it would be necessary to let it lie waste, if he had not so many prisoners.

This is one of the obscurest periods in Roman history, owing to the loss of the eleventh book of Livy. During my investigations, I have gained firmer and firmer ground to stand upon; and I may perhaps still be so fortunate as to clear up every obscurity. It is certain that Curius was involved in the most violent disputes with the senate, undoubtedly on account of the distribution of the domain land, for Curius

insisted on an assignment on a larger scale to the people (this is now the right term, and we can no longer speak of the commonalty), and also to the libertini, because they were contained in the tribes. The popular indignation therefore was directed against the plebeian nobility, as well as against the patricians, the former being as much interested in preventing the assignment as the latter. The ferment was so violent, that a band of 800 young men united, for the purpose of defending the life of Curius, just as the equites united to protect Cicero. During these tumults the assignment of lands was decreed, and on that occasion the triumvirs wished to give to Curius seven times the amount of the seven jugera, that is, an entire centuria of that time; but Curius refused it, saying, that he should be a bad citizen if he were not satisfied with his legal share. We may readily believe that Agrippa Menenius was poor, but we can hardly suppose that Valerius Poplicola was so, as he was able to build a splendid house for himself; it is however well attested, that M'. Curius was not rich, and yet was cheerful with his limited means. It is equally well known that the Samnite ambassadors found him sitting at the hearth of his Samnite farm when he rejected their presents, and that the senate assisted him in the management of his domestic affairs during his consulship. Curius was one of those proud characters, who feeling no wants, are much happier than others who roll in wealth.

In his censorship, which falls two years later, he executed one of the most magnificent works that the world contains, and in comparison with which the pyramids of Egypt sink into insignificance. I allude to the draining of lake Velinus, whereby the falls of Terni were formed, the height of which is 140 feet: it is the most beautiful waterfall in the world, and yet is the work of human hands. Livy calls the Via Appia a *monumentum gentis Appiae*; this is a *monumentum Curii*. Lake Velinus filled a large mountain-valley without any outlet, because a range of not very high rocks separated



it from the river Nar (Nero). Curius cut through the rock, gave an outlet to lakes Pie de Luna and Velino, and thus rendered available many square miles of the most excellent soil in all Italy, the territory of Rieti, the *prata rosea*, which Cicero calls a Tempe. We are indebted for our knowledge of the fact that Curius executed this work, to a very accidental mention of it by Cicero.<sup>8</sup> The water is calcareous, as is universally the case in the Apennines, whence stalactites are formed, which, as the work had been neglected during the middle ages, have rendered it necessary, ever since the sixteenth century, to alter the course of the river from time to time. The lake has

changed its bed in such a manner, that a bridge built in the middle ages is now entirely covered with limestone, and was only discovered a few years ago. An excellent Roman bridge over the canal is still visible, but is never visited by strangers, because the access to it is rather difficult: there can be no doubt that that bridge is likewise a work of Curius. It was shown to me by an intelligent peasant: it is built in the ancient Etruscan fashion, in the form of an arch, of large blocks of stone, and without cement; although it is covered with earth and trees to nearly the height of a house, still the stones are not displaced in the least. Thousands of travellers visit the falls of Terni, but few know that they are not the work of nature.

<sup>8</sup> *Ad Att.* iv. 15.

## LECTURE LX.

THE period from the third Samnite war down to the time when Pyrrhus was called into Italy, though it embraces scarcely ten years, is one of the most important in all ancient history, whence it is to be greatly regretted that we have no accurate knowledge of it. In the sixteenth century people are said to have conjured up spirits for the purpose of recovering the lost works of ancient authors: if such a thing were possible, or if by any sacrifice a lost work could be recovered, I should not hesitate, as far as information goes, to choose the eleventh book of Livy in preference to any other work: it is possible, however, that sooner or later, the history of that period may yet be discovered. I have collected much, but it does not suffice to furnish a complete historical view; and the following is all that I can here give as the results of my enquiries. In the year 462 (according to Cato) the Maenian law was passed; it is only a few days since that I found a passage relating to this law, which I had read

indeed very often, but the importance of which I, as well as all others, had overlooked; the law is otherwise known to us only from a hasty remark of Cicero, who says that it was a great thing that Maenius when tribune compelled the interreges to accept the votes for a plebeian consul, because the Maenian law did not yet exist. The context shows that this law can have had no other meaning, than that the *auctoritas* of the patres in regard to curule elections was abolished, as had been done forty-six years before by the Publilian law, in regard to legislation by the centuries. This law was absolutely necessary, for the sanction in cases of election was absurd and a mere source of annoyance, since the patricians had already given their votes. Henceforward the senate gave its assent beforehand; the imperium was conferred by a mere *simulacrum* of the curies, that is, by the lictors who represented the curies, as the five witnesses at sales, etc., represented the classes of the centuries. The curies accordingly

were not abolished. The law must have been carried after great struggles; and the passing of it was one of the stormy events in the consulship of M'. Curius.

The Hortensian law, of which I should like exceedingly to have an accurate knowledge, was of quite a different kind. Until very recently, we merely knew from Zonaras that disturbances arose in consequence of the state of debtors. The tribunes proposed to cancel all debts, and as they did not succeed, the plebeians established themselves on the Janiculum, whence, after a long secession, they were at length led back by the dictator Q. Hortensius. This dictatorship produced the Hortensian law, which is known from Gaius and the Institutes, and the terms of which were *ut plebiscita omnes Quirites teneant*. Last year [1828] something more was discovered in the *Excerpta de sententiis*, published by A. Mai; it is a fragment from Dion Cassius, but extremely mutilated. I have endeavoured, in the *Rhenish Museum*,<sup>1</sup> to restore the connection, and I have no doubt as to the correctness of the meaning in general. According to this passage, the tribunes, in consequence of the great distress,<sup>2</sup> proposed the cancelling of debts (*tabulae novae*): distress and debts are most severely felt during the first years after a peace. The tribunes made the proposal according to the Publilian law,<sup>3</sup> by which the resolution of the plebes was only a bill which still required the sanction of the curies. The senate could only introduce measures to the curies, and the latter could not transact any business which had not previously passed

through the senate: the senate, therefore, might reject the bill, but if not, it was brought before the curies. The plebeians were delighted with the proposal of their tribunes, and passed it; but it had to be brought before the senate; and when this was done, the senate rejected it. Circumstances were already the same as those which present themselves so glaringly in the time of the Gracchi. It was a struggle between the people and the nobility: the plebeian nobility screened themselves behind the curies, and were very glad to see the proposal rejected by them. The tribunes now made a further proposal. As the cancelling of debts appeared too much, they referred the creditors to the Licinian law, and proposed that the interest already paid should be deducted from the principal, and that the rest should be paid off in three instalments. At that time usury was forbidden, and the creditors, therefore, had to evade the law by means of foreigners. When any money business was to be transacted, they went to Praeneste or Tibur, and a Tiburtine nominally lent the money on interest, and any disputes arising from it were decided in his forum. Thus we can reconcile the law forbidding usury with the fact that interest was nevertheless paid.

The curies refused to sanction the law even with these modifications; and after each refusal the bill could not be brought forward again except in *trinum nundinum*: the people would have been quite satisfied with the modified proposal, but the curies said, No. This infuriated the people: they quitted the city, and established themselves on the Janiculum; we can hardly suppose that the plebes was headed by a magistrate, as had been the case in former secessions. The heads of the democratical party intended to make use of these circumstances for their own advantage, and allowed the people to go on, though they were probably not as harmless as the plebeians had been in their earlier secessions. As the multitude gathered on the Janiculum did not disperse, but continued to increase in numbers, the

<sup>1</sup> The essay here alluded to is reprinted in Niebuhr's *Kleine Hist. und Philol. Schrift.* ii. p. 241, etc.—Ed.

<sup>2</sup> "The advantage of an assignment of lands came at a time when the people were in urgent want of an improvement in their domestic affairs, but too late to secure it." *Hist. of Rome*, vol. iii. p. 416.—Ed.

<sup>3</sup> It is evidently a mistake that the Publilian law is here mentioned instead of the Horatian, since the former affected only matters connected with the administration, but the latter was still the only valid form for actual legislation. See above, p. 190.—Ed.

rulers of the republic began to be alarmed, and were ready to come to an understanding. But now the leaders of the insurgents would not agree to the terms proposed, but demanded more and more. What this was we cannot say, but they probably required an assignment of lands, and a much greater reduction of the debts. At last they came forward with the demand, that as the opposition of the senate and the curies had shaken the peace of the republic, they should forego their *veto*; and this was obtained. The curies for the last time met in the *Aesculetum*, and decreed their own dissolution. An analogous case occurred in the *ordinanza della giustizia* of Florence, whereby a great part of the noble families were excluded from all civil offices, and that through their own fault, since they had indulged in every profligacy, and refused to submit to the demands of justice.

On these terms Hortensius succeeded in restoring peace. His law embraced other matters also, and it is a mistake to speak of several laws. What are thus called were only clauses of one and the same law. Down to the time of Cicero, there had been only one dictator, Hortensius, and one Hortensian law.

This decree is an extraordinary event; and it cannot but be admitted that the Hortensian law was the first step towards the dissolution of the Roman state. On the whole, however, the political condition of Rome was so healthy, that 150 years passed away without any injurious consequences becoming manifest; but at last they did come. From the distance at which we are placed, we can survey the entire history, and see how and when the injuries arising from the abolition of the *veto* became visible in the republic. I do not mean to say that the *veto* ought to have remained as it was, for it was no longer suited to circumstances; but what ought to have been done was this: the curiae ought to have been completed by plebeian nobles, and a number of gentes ought to have been formed of

the principal allies. It is one of the disadvantages of free constitutions, that remedies which are not applied in proper time, afterwards often become utterly useless. Even if the Roman senate had retained the right to put its veto on plebiscita, still it would have been too weak in numbers, and could not have had the same weight as a strong and well-organised aristocracy. It is evident that the *sincera plebes*, or the ancient and excellent country population, was gradually disappearing in the assemblies at Rome; and that the *factio forensis* was gaining the ascendancy: the elements which had made the Roman commonalty so excellent died away by degrees, and ought to have been renewed. When we look back upon the history of the periods that had passed, it seems strange that this idea should not have occurred to any one; but I believe that the wise and aged Fabius, if he were still alive, must have been aware of it. The alternative seems to have been, either to keep up the old phantom, and to leave the curies in the possession of their power, or to abolish it. The true political wisdom is to construct something new in the place of that which is decayed; and Montesquieu justly observes, that the art of preserving a state is to lead it back to its *principia*. If he had written nothing but this single idea, he would still be one of the greatest and wisest men, for this is really the great art which unfortunately is hardly ever practised. Whoever in a free state should say, "Recollect what was the principle of our forefathers," would be looked upon as a traitor, and gain no hearing. I am not acquainted with any example in history, where, in an important question, this principle has been adopted. I might in some sense mention the legislation of Andrea Doria; but that is a sad phenomenon, which, however, will be constantly repeated, and entail the destruction of states.

Sp. Carvilius, a son or grandson of the conqueror of the Samnites, proposed in the Hannibalian war, that

two members from each of the senates of the allied states should be admitted into the Roman senate—Scipio Maffei made a similar proposal at Venice,—but he found no hearing, and was almost torn to pieces in the senate. Sallust says that the most peaceful and orderly period in Roman history was that between the second and third Punic wars: this is true, but it was only the peaceful condition which marks the beginning of dissolution, just as previously to the revolution in France, when the government had lost its power, and when, in the absence of violent conflicts, the revolution was preparing itself. Some few evil consequences of the failure of Carvilius' plan appeared even at an early time; one of them was, that the admission of the Italians to the full franchise became more and more difficult, since their admission would have lessened the influence of the old citizens. This afterwards gave rise to a coalition between the allies and the nobility; but the mischief was, that the nobility did not form a corporation, while that of the patricians was crumbling away, and nothing was put in its place.

It was in many respects an unfortunate period. A single individual is often sufficient, by insolence and arrogance, to drive the people into madness. The French revolution was greatly accelerated by the foolish ordinance of the aged Marshal Ségur, who was otherwise a sensible man: but he made it a law, that commoners should be appointed officers only in the artillery, and that all other officers in the army should be noblemen. This enraged all the soldiers, even those who themselves did not in the least desire to rise. This great offence was one of the main causes of the revolution: few people are aware of this, but I have repeatedly been assured of it by Frenchmen, who had witnessed the outbreak of the revolution. A similar provocation was given at Rome by L. Postumius, a strange character, who was thrice invested with the consulship, which was then a rare occurrence, and was

also employed in the decisive embassy to Tarentum: he must, therefore, have been a man of consequence; but he behaved like a madman. In his consulship he insulted the aged Q. Fabius, who commanded the army as proconsul, for Postumius drove him from the army, and sent him home with threats: the cause of this must have been the oligarchical party spirit, for Fabius, although an aristocrat, was free from all oligarchical feelings. After the war, Postumius took possession of immense tracts of country, and employed 2000 soldiers to clear away a forest. For these repeated acts of insolence he was accused by the tribunes, and sentenced to pay a fine of 500,000 *asses*. Such circumstances were more provoking than anything else, and the more so, because the party of the oligarchs was weak in numbers.

To this period belongs the appointment of the *triumviri capitales*. The form *triumviri* is properly a solecism, and a proof that the oblique cases already began to predominate, as in the modern languages derived from the Latin: people often heard the form *triumvirorum*, and from it they made a nominative *triumviri*, which was generally used as early as the time of Cicero. The *triumviri capitales* correspond to the Attic *ἐνδεκα*, for they had the superintendence of prisons, but otherwise their office is involved in great obscurity. They received the functions which had been transferred from the ancient *quaestores parricidii* to the curule aediles. There were many cases, namely, those of a *delictum manifestum*, which admitted of no trial; but the praetor had not time to investigate in every instance whether a person was a *reus manifestus*, and there was accordingly a need for officers to declare to the praetor that this or that case was a *delictum manifestum*: this must formerly have been done by the quaestors, but now became the function of the *triumviri capitales*. They were, moreover, judges in cases where the praetor could not act, as for foreigners, slaves, etc., and also superintended



their punishment, because they were not under the protection of the tribunes : but whenever there were any doubts, it was necessary to assign a *judex*. These functionaries, therefore, were a mixture of police and criminal officers.

According to Zonaras, it was the Tarentines who stirred up the people far and wide against Rome ; they first roused the Lucanians, and then the Etruscans ; and even the Samnites, whose power was broken, were prevailed upon once more to take up arms and try the fortunes of war. The Greek towns were no longer exclusively the friends of Tarentum ; they now

looked to their own advantage, and were ready to sacrifice Tarentum to the Lucanians and Bruttians. A peace had been concluded between Rome and Tarentum after the third or even after the second Samnite war, and in A.U. 451 or 452 they already appear on terms of friendship ; the Greek writers also speak of this peace as an ancient treaty. They seem to have mutually fixed their boundaries, the Romans pledging themselves not to appear in the bay of Tarentum with any ship of war, north of the Lacinian promontory ; and the Tarentines must have made a similar promise.

## LECTURE LXI.

AFTER the close of the third Samnite war, every unbiassed observer ought to have seen that the fate of Italy was decided, and the Italian nations should have hastened to ally themselves with Rome on terms as favourable as they could obtain. But passion is not possessed of such wisdom ; and people always expect that a *deus ex machina* will come to alter everything. One nation after another entered the ranks of Rome's enemies ; and the Lucanians, who in the third Samnite war had been allied with her, employed their independence to accomplish their own objects, and to subdue the few Greek towns which yet remained free. The Bruttians likewise joined the enemies of Rome ; but the Greek towns being abandoned by the Tarentines solicited its aid. The Etruscan nation, though in a state of complete dissolution, still continued alternately at peace and at war ; the Vulsinians alone seem to have carried on a contest without interruption. The power of the Samnites was completely shattered, yet they endeavoured to recover their strength in order to take up arms again, as soon as they could hope to do so with any success ; for the present they kept aloof, and gave the

Romans no cause for hostilities. The Tarentines strove to stir up even the Gauls, and according to Dion Cassius (in Zonaras), they were the soul of all these movements ; but they could act only by means of subsidies ; they themselves did not come forward, and there was every appearance that the amicable relation between them and the Romans was going on undisturbed. It must have been great distress which induced the Romans to dissimulate : we merely know that they assisted Thurii against the Lucanians, according to their system of supporting the weak against the powerful. On that occasion, we find the first instance of a Greek city erecting a statue to a Roman (C. Fabricius) : the assistance of the Romans saved Thurii.

In Etruria the contest now took a different turn, and the Etruscans appear to have been so divided among themselves, that the war party invited the Gauls to fight against their opponents. The Gauls laid siege to Arretium in the north-eastern corner of Tuscany, which was governed by the Cilnii, and was connected with Rome by friendship. In A.U. 469 (according to Cato the birth of Christ falls in the year 752 and not 754), the Romans

sent two legions and about 20,000 auxiliaries under the praetor L. Caecilius Metellus to the assistance of Arretium. But the Senonian Gauls, although they dwelt on the other side of the impassable Apennines, forced their way through them and defeated the Romans so completely, that Metellus himself and 11,000 Romans remained dead on the field of battle, and the whole army seems to have been annihilated. M'. Curius was now sent with an army into Etruria, and at the same time ambassadors went to the Senones to ransom the Roman prisoners. But the Senones were fired by a desire to take vengeance for their loss in the battle of Sentinum, and Britomaris, a young chief whose father had fallen in that battle, caused the ambassadors to be murdered. This breach of the law of nations exasperated the Romans so much that they resolved to employ every means to punish it. The consul P. Cornelius Dolabella, instead of attacking the army of the Gauls, who were perhaps already thinking of conquering Rome a second time, determined to invade the deserted country of the Senones; and there with the utmost cruelty massacred or carried away the population which had remained at home. The army of the Senones, maddened by the news of this calamity, returned to their own country, but were completely defeated by the Romans: and it is probably no exaggeration to say that the whole nation was extirpated. The gold of the Etruscans and Tarentines attracted other swarms of Gauls, and the Boians who now crossed the mountains and united with the Etruscans, were defeated on Lake Vadimo, but the Romans were not able to invade their country, which extended from the river Trebia to the Romagna. In the following year, all the Boians capable of bearing arms returned to Etruria, but were not more fortunate than before: few escaped, but the nation was not extirpated, for the women and children had remained at home, and thus the Boians recovered from their misfortunes. It was not till fifty years later, that the Romans entered their country

and destroyed the nation. The Gallic emigrants henceforth no longer invaded Italy, but turned towards Thrace and Macedonia.

The scanty history of this period entirely passes over the further proceedings in Etruria, nor does it tell us which towns submitted, and which concluded separate treaties with Rome.

While fearful wars were thus waged upon the northern frontiers, the city itself was quiet, in consequence of the peace concluded on the Janiculum and in the Aesculetum: but in Lucania the Romans continued their war uninterrupted, and in it C. Fabricius Luscinus appears for the first time in history. The aged heroes of this period were still alive: Valerius Corvus was at a very advanced age, and had withdrawn from public life; Appius Claudius was blind, but still exerted very great influence; Fabius was probably dead. M'. Curius Dentatus, a great military hero, and in politics decidedly democratical without being a demagogue, was younger than Appius, but older than Fabricius. Curius and Fabricius are remarkable characters and of similar temperaments: it is a well established fact that both were really poor; both were proud characters, and both *novi homines*, who were raised by their personal greatness in war and by the respect they commanded. Fabricius has at all times been held up as the model of a virtuous citizen. By the side of these men we must notice a few other important but opposite characters: L. Postumius was energetic but not noble; and P. Cornelius Rufinus was as avaricious as Fabricius was disinterested, and the latter in conjunction with his colleague Q. Aemilius Papus expelled him from the senate on account of his love of luxuries. These are the most distinguished men of the period, but Rome seems to have been rich in other great characters, and I believe that even in its peculiar intellectual culture, Rome was far above the best periods of the middle ages, and that even in its literature.

Ti. Coruncanius was another great man; he was great as a wise politician, although no distinct recollection of

him was perpetuated in the state; he was the first plebeian Pontifex Maximus, and enjoyed great reputation for his wisdom and profound knowledge of the law. He was always looked upon as the *beau idéal* of a pontifex.

In the course of time the Romans became better aware of their true relation to Tarentum: the peace continued only because they were separated by other countries, and the wealth of the Tarentines, their navy, and their facility in obtaining Greek mercenaries rendered the Romans very much disinclined to engage in a contest with them. As the Roman army was carrying on the war in Lucania, surrounded on all sides by guerillas, everything that was wanted for the army had to be sent by sea. The treaty respecting the mutual maritime frontier which had been concluded about twenty years before, must under the present circumstances have appeared unnatural to the Romans: they might have said that at the time the treaty was made they were not in possession of Venusia, and that by the establishment of that colony they had tacitly acquired the right of sailing beyond the Lacinian promontory: but it appears that the Romans wanted to see how long the Tarentines would allow matters to go on without a war. This is the more probable, as according to a statement from one of the lost books of Livy, which is confirmed by Zonaras, the Tarentines endeavoured to form a great coalition against the Romans, with which even the expedition of the Gauls against Arretium is said to have been connected. Certain it is, that they wished for such a coalition, but the various nations joined it with hesitation. The Romans sent a squadron of ten triremes under the *duumvir navalis*,<sup>1</sup> L. Valerius, to the road of Tarentum. In all Greek cities the theatre was, if possible, built in such a place as to have a view of the sea, or at least the spectators were turned towards the sea; such was the

case not only in really Greek towns, but also in those which were built in a similar manner, as at Tusculum and even at Faesulæ; the people assembled in those theatres, as at Rome in the Forum. The agora, in Greek towns, was not so much a place of meeting for the people, as for transacting real business: the theatres were much more convenient, they were open all day, and the people might sit down while listening, for any one who wished to address them, might step upon the stage for that purpose. When the Roman ships were steering towards the harbour of Tarentum, it unfortunately happened that the people were assembled in the theatre: had this not been the case, the whole history of the world would have taken a different turn, for it is probable that the strategi would have requested the Romans to withdraw, and the whole undertaking would have remained without any consequences. But as it was, the people excited one another, and without coming to any definite resolution everybody ran to the harbour, dragged the galleys into the water, sprang into them, and attacked the Romans, who were unprepared for such a reception; a few only of the ships escaped, the rest were sunk, and Valerius himself was killed. The populace of Tarentum, who had never yet seen a Roman army, were delighted with their victory.

At Rome this occurrence produced great consternation. It was known that all Italy was in a state of ferment, and that the Tarentines were calculating upon a general insurrection. There are distinct traces which prove that the Romans did not even trust the Latin people; and the Praenestines in particular were on the point of revolting. The affair, therefore, was very dangerous for Rome, so that instead of at once declaring war, they sent an embassy to Tarentum to protest in the face of the whole world, in order that every one might see that vengeance was only postponed, and not given up. Ambassadors were also sent to several of the allies north of the Tarentines, partly in order to keep

<sup>1</sup> This office must have been abolished previously to the Punic war, between A. U. 471 and A. U. 489.—N.

them in good humour, but partly also to demand hostages to secure their fidelity. Among these latter ambassadors was C. Fabricius, who, by a breach of the law of nations, was arrested, apparently among the Samnites. The Romans now made the greatest efforts, for they wished to make an imposing impression without beginning the war at once. L. Postumius headed an embassy to Tarentum. A light-headed, unsteady, and giddy people like that of Tarentum would have grown intolerably insolent, if the hated Romans had shown any symptoms of fear. The demand of Postumius that the guilty should be delivered up had no effect, as had undoubtedly been foreseen by the Romans. It unfortunately happened that the Tarentines were celebrating the Dionysia or vintage-feast, and the democratic Tarentines did not take the ambassadors into the senate, but into the orchestra before the people, where they had to speak up to the audience, whereas at Rome they had been accustomed to stand on an elevated place when addressing the people. This circumstance alone must have made them nervous and confused. The inhabitants of the city were in a state of intoxication, and drunkards and insolent fellows laughed at every mistake which the ambassadors made in speaking Greek; and one even went so far as to soil the *toga praetexta* of Postumius. The Roman lost his composure; he shewed the affront which he had received to the Tarentines, and loudly complained of it; but at this sight the intoxicated populace burst out in shouts of laughter. Postumius then shook his garment, saying, "I prophesy that you Tarentines will wash out this blot with your best life-blood." Hereupon the populace became so infuriated, that he escaped with great difficulty.

The ambassadors returned without the reparation they had demanded, nay, without any answer at all, and impressed upon the Roman senate the necessity of immediate punishment. Many senators however advised caution and patience, till they should be in more favourable circumstances. The people also, who were suffering great

distress, had at that time an aversion to war, and hence the first proposal to declare war was rejected. Fresh negotiations were to be commenced, but supported by an army. Afterwards, however, it was decreed by the people that an army should be sent to the frontier of Tarentum; and the consul, L. Aemilius Barbula, received orders also to make an attack upon Tarentum, in his expedition into Lucania. At Tarentum, likewise, there were two parties, one mad for war, the other more thoughtful and cautious. The former, however, perceived that the contest could not be carried on otherwise than by calling a foreign prince into the country, and that this could be no other than Pyrrhus of Epirus, who had an army quite ready for action. But it was to be foreseen that if Pyrrhus should be victorious, he would set himself up as king of Italy, and he was far more powerful than Alexander of Epirus. The aristocracy of Tarentum wished for an alliance with Rome, in order to control the unbridled populace; but the rulers had lost their senses to such an extent, that instead of protecting the Italian towns, as they had done until then, they made common cause with the Lucanians, withdrew their protection from Thurii, a colony common to all Greece, and abandoned it to its enemies. This important city, venerable on account of the great men it had produced, was now conquered and plundered by the Lucanians; the Romans afterwards conquered it, but it never recovered from the blow. When Aemilius Barbula appeared before Tarentum, a peace would probably have been concluded, had not the Tarentines already commenced their negotiations with Pyrrhus. When the Romans laid waste the country about Tarentum, those negotiations had not yet led to any certain result; and now Apis, a proxenus of the Romans, offered himself as a candidate for the office of strategus, for the purpose of opening negotiations with them; but just at the moment when they were to commence, the intelligence arrived that Pyrrhus had accepted the proposals which had been



made to him. Apis was dismissed, and the war began.

Pyrrhus was then in his thirty-seventh year, the happiest period of a man's life. Although he lived at a time when no right nor property was safe, yet none of his contemporaries experienced so many changes of fortune as he. For a great man nothing has such charms as an active and busy life. A man can call his own only that which

he himself has acquired, and there is no greatness in spending a quiet life in the peaceful possession of what fortune has given us; but activity also may be carried to excess, if a man entirely overlooks the calm happiness of possession. Characters of the latter kind are Charles XII. and Pyrrhus, men who, when they occupy a throne, are a misfortune to their subjects, and dangerous to their neighbours.

## LECTURE LXII.

THE kingdom of the Molossians was first drawn forth from its obscurity in the time of the Peloponnesian war, by Tharyps, who had been educated at Athens. From the time of Philip, the kingly family of the Molossians was divided into two branches, that of Arymbas, and that of Neoptolemus, the father of Olympias; and the latter, or younger branch, being supported by the influence of Macedonia, ascended the throne. Philip, to favour his wife's relations, extended the kingdom, and Thesprotia and Chaonia seem to have belonged to it as early as that time. Afterwards, however, Aeacidæ, the father of Pyrrhus, who belonged to the elder branch, succeeded to the throne. The legitimate power of those Epirot kings was very limited, like that of the kings in the middle ages. Aristotle compares them to the Lacedæmonian kings; but the train of soldiers whom they had at their command was certainly not always insignificant; and misled by this source of power, Aeacidæ, in opposition to the general opinion of his subjects, interfered in many occurrences of his time. He was a partizan of Olympias, although he had before been expelled from his kingdom by the arrogance of his cousin Alexander of Epirus, and with peculiar generosity he involved himself in the fate of that fury of a woman. By this means he drew upon himself the hatred of Cassander, by whose assistance he was

expelled from Epirus. Pyrrhus was then only two years old, and it was with the greatest difficulty that he was saved by faithful servants, for Cassander was bent upon destroying the whole family. He was brought up by Glaucias, a prince of the Taulantians, although the latter had been hostile to Aeacidæ. Glaucias formed so great an attachment to the boy, that he did everything to protect him against Cassander. No sooner had Pyrrhus grown up, than he went to the court of Demetrius Poliorcetes and the aged Antigonus, the one-eyed; and it was in that school that he developed his extraordinary talents as a general, although Demetrius was a spoiled genius. Pyrrhus there maintained his moral dignity in the midst of the most profligate society. Demetrius nominally restored to him the kingdom of the Molossians; but, according to the custom of the times, Pyrrhus was in the service of the greater king, and, like the other petty Epirot princes, held a post in his army. He thus accompanied Demetrius and Antigonus to the battle of Ipsus (Olymp. 119. 4), in which the kingdom of Antigonus was destroyed, and he himself perished. Pyrrhus was then sixteen years old. When this battle was gained by the allies, they began to dispute among themselves; and the cunning Demetrius soon found an opportunity of forming a connection with Ptolemy Soter, who had quarrelled about the

booty with his old friend Seleucus, and with Cassander, whom he had always hated, as well as with Lysimachus. Pyrrhus was sent to Alexandria, for the purpose of carrying on the negotiations, and served at the same time as a hostage for the fulfilment of the conditions. His personal appearance had a peculiar charm : his wonderful talents were of the most varied description : nature had endowed him with the most fascinating amiability and beauty. These qualities he employed to the greatest advantage, both for his patron and for himself.

In the mean time the Epirot towns were lost, and the kingdom of Pyrrhus had in all probability fallen into the hands of Neoptolemus, a son of Alexander the Molossian ; but Pyrrhus won the favour of Ptolemy and Berenice, and married Antigone, a daughter of Berenice by a former marriage. By means of Egyptian money he was restored to the throne, and his favour with the people soon delivered him from his rival Neoptolemus, for which purpose, however, he made use of unjustifiable means, as was the common practice in the sixteenth century also. He now tried to establish himself firmly, and his good fortune soon afforded him an opportunity. Cassander died, and his surviving sons were hostile towards one another ; one of them who wanted the protection of Pyrrhus ceded to him Ambracia, Amphilochia, and those Epirot districts which until then had been united with Macedonia. This was of the greatest importance to Pyrrhus, for now Epirus really deserved the name of a state. Pyrrhus faithfully supported his new ally, but the latter fell through his own fault, and Pyrrhus remained in the possession of the newly acquired territories. Demetrius Poliorcetes also now again ascended the throne of Macedonia, and at first Pyrrhus kept up the old friendly relation with him ; but Demetrius was an arrogant and aggrandising prince, in consequence of which a war soon broke out between them. The oriental haughtiness of Demetrius was offensive to the Macedonians, who revolted against him ;

Pyrrhus allied himself with Lysimachus ; and as the people favoured them, they divided the country between themselves. This division, however, again provoked the Macedonians, and as Lysimachus was a native of Macedonia, and Pyrrhus a stranger, the inhabitants of the portion assigned to the latter deserted him. The time at which Pyrrhus lost Macedonia is usually placed too early by several years.

Pyrrhus was not obstinate in the pursuit of fortune ; he practised war as an art, and when fortune was unfavourable, he gave it up. War was the happiness and delight of his life ; he brought the art of a general to the highest pitch of perfection, and was also a great master in the art of conducting a battle. A fragment from Livy preserved in Servius, states, according to a correct emendation : *Pyrrhus unicus bellandi artifex magisque in proelio quam in bello bonus* ; the result of a campaign was less interesting to him. Some generals display their talent in making the dispositions for a battle, but either do not know how to manage a campaign, or after gaining a battle, grow tired of the war ; others show an eminent talent in forming the plan for a whole campaign, but are less successful in battles. The archduke Charles of Austria was a general of the former kind, as he himself owns in his military writings. Pyrrhus also took great delight in winning the game of war, but he scarcely ever followed up a victory which he had gained : it may perhaps have been even painful to him, when he had defeated an enemy, to annihilate him, since art was no longer required. This is a feature of a noble soul, but by it the object of war is lost.

Pyrrhus now took up his residence at Ambracia, and embellished it so as to raise it to the rank of a really royal city. There the Tarentine ambassador appeared, and concluded with him a treaty of subsidies, in which many points undoubtedly remained unsettled. Pyrrhus quickly sent over Cineas with 3,000 men, in order to gain a firm footing, and to prevent the outbreak of a revolution in consequence of the

devastations committed by the Romans. Cineas, like his royal friend, was an extraordinary man: his connection with Pyrrhus was perfectly free; he had attached himself to the king from inclination, and clung to him with all his heart. He belonged to a people which has never produced any man of note, for he was a native of Larissa in Thessaly, and probably belonged to the illustrious family of the Aleuadae. He is called a disciple of Demosthenes, but this is hardly conceivable, for Demosthenes had died forty years before this time, and the statement is perhaps based upon a misunderstanding; but he may have really been a *sectator Demosthenis*. Few persons were then in a condition rightly to appreciate Demosthenes; but a man like Cineas would understand him, and be inspired by his orations. We know nothing of the manner in which Cineas became the friend of Pyrrhus, although it is a question a satisfactory answer to which would be worth more than a knowledge of a whole series of wars.

When Cineas landed in Italy, the Tarentines delivered up their citadel to him, and he skilfully regulated his conduct towards them in such a manner, as to keep them in good humour and to deceive them in regard to the designs of Pyrrhus: he allowed them to do as they pleased, and thereby gained their full confidence; they made very few preparations, thinking that others would bleed for them. Pyrrhus' own resources were not great, but he procured succour from several neighbouring princes, who provided him with elephants, military engines, ships and other things necessary for the war, and Ptolemy Ceraunus supplied him with 5,000 Macedonian soldiers. He was a thorn in the side of all his neighbours, who were glad that he was going to so distant a country. He is said to have crossed over with 20,000 foot, from 4,000 to 5,000 horse, and a number of elephants, which is not distinctly stated. He was ready early in the year, but the passage was unfortunate, partly because the art of managing ships was yet in its infancy, and

partly because the Epirots in particular were less skilled in it than the Greeks. The sea near the Ceraunian cliffs, moreover, was then, as it still is, notorious for sudden storms: the current from the Adriatic towards the Syrtes, which may almost be compared to the great Mexican current, rendered the communication by water extremely difficult. Several ships of his fleet were lost, others were cast on shore, and he himself with great difficulty reached the Sallentine coast, where he collected all that had escaped from the sea. He quickly proceeded to Tarentum, which opened its gates to him; and no sooner was his scattered fleet re-assembled than he began to take serious measures at Tarentum. He saw that his army alone was not sufficient for his object, and that it was too expensive to engage mercenaries; he therefore ordered the gates to be closed, made a levy among the Tarentines themselves, and incorporated them with his phalanx. This measure displeased the people in the highest degree, and many were anxious to escape; but he increased the rigour of his proceedings, abolished the gymnasium and other places of amusement, and appeared to the Tarentines in the light of a tyrannical ruler. They were indeed greatly disappointed in their expectations, for they wished to treat Pyrrhus like the princes whose services they had engaged before, intending to remain at home, while he was to carry on their war; but Pyrrhus could not adopt such a plan, his kingdom was but small, and the war threatened to become bloody: for which reasons he was obliged to demand the cooperation of the Tarentines. They murmured, but were quite powerless, as he was in possession of the citadel; and the consequence was that he had recourse to dictatorial measures.

Pyrrhus was opposed by only one consular army under P. Valerius Laevinus. The history of this period, if we except the campaigns of Pyrrhus, is very little known; but Rome was probably employing a great part of her forces against Etruria, in order to obtain a definite peace in that quarter.

All Italy was in a state of ferment; the Romans, although they made their wavering allies give hostages, endeavoured every where to conceal their fear, and raised great military forces; but it is inconceivable how they could venture to send only one consular army against Pyrrhus, whose personal character drew towards him all the nations far and wide. Among all the barbarian kings of that time, he alone was surrounded by the lustre of ancient Greece; and although he was not without faults, yet he was a being of a higher order, and could effect much with little means. The Samnites and Lucanians had sent ambassadors to him even while he was in Epirus; and the Apulians and several other Italian nations joined him immediately on his arrival; but this did not at once increase his forces. The proconsul L. Aemilius Barbula was engaged in Samnium, which he ravaged fearfully, in order to prevent the Samnites conceiving the idea of joining Pyrrhus against the army of Laevinus. A correspondence took place between Pyrrhus and Laevinus, in which the king offered to mediate between Rome and Tarentum. He had a high opinion of the Romans, but still he did not know them sufficiently, for the tone of his letters, so far as we are acquainted with them, was not the right one, and hence nothing was effected. The Romans required him to atone for having, as a foreigner, entered Italy; and this seems to have been their national view. Valerius now proceeded to Lucania; wishing to fight a battle before the king was joined by an army of his Samnite and Lucanian allies, since they were as yet probably prevented by the other consular army. Pyrrhus had likewise gone to meet him, intending to offer battle before the two Roman armies should have united. He advanced across the Siris, in the neighbourhood of Heraclea, the most beautiful country in that part of Italy, which in fertility and wealth equals Campania. He was confident of victory, and he wished to humble his Italian allies by defeating the Romans without their assistance. The Romans

seem to have made slow progress in their preparations; Pyrrhus threw great difficulties in the way of their obtaining provisions, and they were obliged to fight that they might not be compelled to quit that country and withdraw to Venusia, which would have been dangerous on account of the allies. On the eve of the battle, while Pyrrhus was reconnoitering the position of the Romans, their order filled him with amazement: he was accustomed to fight against Macedonians and Greeks or Illyrians, but when he saw the elasticity and training of the individual Roman soldier, the thought of the approaching battle made him very serious. The opposite tactics of two excellent armies were to contend for victory: the Macedonians, whose tactics had then reached their highest point, fought in masses,<sup>1</sup> but the Romans fought in lines far outflanking the enemy. If the Epirot phalanx waited for the Romans in its immovable position, the latter could do nothing, but it would have required a great deal of courage, coolly to sustain the furious attack of the Romans, the showers of pila, and the vehement onset with swords. But as the Roman cavalry was badly mounted and badly armed, Pyrrhus had a great advantage in his Thessalian horse. The Roman army, to the amazement of Pyrrhus, marched through the Siris, and made the attack; both armies fought with great vigour. The Romans had never yet contended with a Macedonian phalanx: seven attacks were repulsed, and like Arnold of Winkelried, they threw themselves like madmen upon the sarissae in order to break through the phalanx: the day was not yet

<sup>1</sup> We must not imagine that a whole phalanx, consisting of 16,000 men, always formed a single mass sixteen men deep; the Macedonians advanced in smaller divisions of about 420 men, as is mostly done in our own times. They were, therefore, moveable masses, and could find openings to pass through, which would have been impossible for the great phalanx if it had formed one mass of men. The drawing together of the different divisions was a manœuvre to which recourse was had only in extreme cases, and such a mass was impenetrable.—N.



gained, but the Roman cavalry at the beginning of the battle was very successful, and the Epirots were already wavering, so that in an instant they might have been routed. At that moment Pyrrhus brought up his cavalry, which, contrary to all expectation, had before been repelled by the Romans,<sup>2</sup> and along with it came about twenty elephants: the Roman cavalry was startled, and the horses being frightened, took to flight. The Thessalian horse now cut to pieces the flanks of the legions, and made fearful havoc: many Romans, especially horsemen, were taken prisoners. The defeat was complete, the camp could not be maintained, and every one fled as best he could. If Pyrrhus had pursued them, the whole Roman army would have been destroyed, like that of the French at Waterloo. But the Romans, and especially Laevinus, here again showed their excellent spirit: like Frederic the Great after the battle of Kunnersdorf, they rallied and withdrew to Venusia, for this must be the place in Apulia of which Zonaras speaks on this occasion. If it had not been for that fortress, they would have been obliged to march across the mountains as far as Luceria. It now became evident what an excellent idea it had been to make Venusia a colony, since without it, no Roman would have escaped, for the Samnites and Lucanians would have destroyed them.

The Italian allies did not arrive in the camp of Pyrrhus until the battle was over. The king at first expected Roman ambassadors, but as he heard nothing of the Romans, except that they were making fresh preparations, he broke up. The straight road to Rome was open to him, and he accordingly left the Roman armies on one side and began his march towards the city: he rightly intended to bring the war to a speedy termination. But as he advanced, he was terribly disappointed by the condition of the coun-

try: Rufinus had taken up the remnants of the army of Laevinus, and they had either fought their way through Samnium, or had marched to Rome across the country of the Marsians and Marucini. Pyrrhus had expected that his army would find provisions everywhere, but he was horrified at seeing the state of Lucania, and especially of Samnium. According to a recently discovered fragment, he told the Samnites that they had deceived him, for that their country was a desert. His advance was therefore necessarily slow. As he approached Capua, that city with praiseworthy fidelity closed its gates against him. He must have crossed the Vulturinus in the neighbourhood of Casilinum, and he now endeavoured to gain the Latin road, in order to reach the discontented towns of Praeneste, Tibur and others. He at the same time reckoned upon the Etruscans, and perhaps even on the Gauls. Here again we clearly see the hand of Providence, for had not the Boians been destroyed, the year before they would undoubtedly have marched into Etruria to assist the Etruscans; but as it was, the Etruscans were confined to their own resources, and were also divided among themselves. On that occasion the Romans seem to have shewn great adroitness: they must have concluded the *συνθήκαι εὐδοκούμεναι* with the Etruscans at that very moment, whereby only slight burthens were imposed upon the latter.

Pyrrhus availed himself of the time occupied in his slow progress towards Rome with, it is said, 70,000 men, to negotiate for peace, and sent Cineas to Rome. At first sight, the terms which he proposed seemed alluring, but when closely looked at, they were found to be very harsh. He demanded that the Romans should conclude a peace with Tarentum, Samnium, Lucania, Apulia and Bruttium, as though those states were their equals, and that they should give up whatever they had taken from them, namely Luceria, Fregellae and Venusia; that is, that everything should be restored to the state which had existed forty years before. These terms were unreason-

<sup>2</sup> We see from this what firm determination can do, as the cavalry of Pyrrhus was excellently trained, and far superior in numbers. —N.

ably severe : we know them from Appian, who must have taken them from Dionysius, but our histories represent Pyrrhus as begging for a peace with Tarentum. However, the impression of the defeat was terrific, and Rome was deeply shaken ; the majority already began to give way to the idea of concluding peace. This is the celebrated negotiation of Cineas, which proves his extraordinary skill : he did not at all hasten the matter, but endeavoured to win the minds of the Romans by shewing attention to

every one, and in this he was greatly assisted by his astonishing memory, for he called every Roman by his name, and treated each person according to his peculiar character. But Appius Claudius decided the question, and thereby made amends for whatever faults he had previously committed. He inspired the senate with courage to reject the proposals of Cineas, and to order him to quit Rome within twenty-four hours. After these negotiations, Pyrrhus appeared before Rome.

## LECTURE LXIII.

THE history of this war has been transmitted to us in such meagre accounts that we know only by an accidental allusion, that Pyrrhus took the important town of Fregellae by storm, and advanced on the Latin road as far as Praeneste, whose citadel he conquered. Thence he could survey the territory of Rome, but he found himself completely disappointed in his hopes. The Etruscans had concluded peace, and the army which had fought against them was in the city, where all men capable of bearing arms were called upon to enlist. The troops of Laevinus, who had been reinforced, had closely followed Pyrrhus' footsteps, and had advanced from Capua on the Appian road ; the allies who had remained faithful to Rome were exerting all their powers. Under these circumstances, he was stationed at an advanced season of the year on the lofty Aequian hills : one army was before him within the walls of Rome ; another was at his side ; a reserve was forming in his rear, and all this occurred in a country which could not support him, and from which a retreat during the winter would have been impossible. He therefore with a heavy heart resolved to return to Campania ; one Roman army followed him, and another under Laevinus marched at his side. He wished to fight a battle with

Laevinus before the two Roman armies could unite ; but the courage and cheerfulness of the Romans and the demoralized condition of his own troops, who already showed their ill-will towards his allies, affected him so much that he lost his spirits, and satisfied with a large mass of booty and a great number of prisoners, he returned to Tarentum.

Although this campaign terminated without any permanent evil consequences for the Romans, yet they were greatly weakened, the number of prisoners taken by Pyrrhus being far greater than that which the Romans had taken in the battle near Heraclea. They accordingly despatched an embassy to negotiate the ransom of their prisoners or their exchange for those of Tarentum and the Italicans. It was on that occasion that the celebrated conversation between Pyrrhus and Fabricius occurred, which the Romans were certainly not the first to record. Timaeus wrote a separate work on this war : Pyrrhus himself left memoirs, and it is undoubtedly from these that later accounts were taken ; they show what a high opinion the Greeks entertained of the Romans. The embassy was unsuccessful ; but in accordance with the noble generosity of his soul, and with a view to produce an effect upon a people like the Romans, Pyr-

thus permitted the Roman prisoners to go to the city to celebrate the Saturnalia, binding them by an oath that after the festival they would return to him. It is stated that not one ventured to break his oath, and the senate and consuls had also issued a strict command that none should commit a breach of faith. These acts on both sides are a proof of the noble spirit of those times, and we may say in general that this war is one of the most beautiful in history, on account of the mutual respect of the belligerents, for although both were fighting for life and death, yet both felt attracted towards each other. The history of the embassy of Fabricius, Rufinus and Dolabella, and that of Pyrrhus trying to persuade Fabricius to remain with him, and share his kingdom, has been repeated in innumerable moral tales. I believe indeed that the king wished to make Fabricius his friend and companion; the account is so perfectly in harmony with the character of Pyrrhus, that we cannot but believe it, although the details may be the embellishments of rhetoricians, and especially of Dionysius of Halicarnassus. It is a peculiar feature of the genius of Pyrrhus that he felt a passionate admiration for the Romans, and courted their friendship. Although there are some actions of his life we cannot justify, still the *ensemble* of his character is so great, and so beautiful, that I do not know any period of history on which I could dwell with more delight. He wished for peace, but insisted on a fair peace for his Italian allies, whom he would not abandon.

The negotiations during the winter did not produce peace, and Pyrrhus now clearly saw that by such attempts upon the heart of Rome, he could effect nothing, and that it was necessary to take the places in Apulia, Venusia and Luceria, from the enemy by force of arms. In the mean time a circumstance occurred which rendered the war more difficult for him, as in consequence of it he could no longer draw reinforcements from Macedonia: this was the inroad of the Gauls into that country, in which Ptolemy Ce-

raunus, who had hitherto supported Pyrrhus, was slain. Pyrrhus seems to have been embroiled with his Italian allies, so that he was obliged to carry on the war with much smaller forces than before. The Romans were in Apulia with both their armies: it is stated that Pyrrhus was besieging a place in Apulia, when one of the Roman armies appeared, but its name is not mentioned; it is probable, however, that it was Venusia. The battle of Asculum is the only event in the campaign of this year with which we are acquainted, but the different accounts of it in Plutarch are very confused; and we must be guided by the statement of Hieronymus of Cardia, who derived his information from the memoirs of Pyrrhus himself. On the first day there was a preliminary engagement between the two armies: the Romans were afraid to descend into the plain, lest they should be crushed by the elephants and cavalry; as, however, the phalanx with its sarissae would labour under great disadvantages on broken ground, Pyrrhus with great adroitness drove the Romans to a position which suited him. There the Romans were beaten, and are said to have lost 7,000 men; but they were so near their camp, and had fortified it so well, that they withdrew to it in perfect order: it was not a defeat but only a lost engagement. The Apulians in the army of Pyrrhus seem to have prevented his gaining a complete victory, for while the Romans were retreating they plundered the camp of their own allies, so that it was necessary to send off troops to keep them in order. The fact that he had gained no more than a mere victory was sufficient to make Pyrrhus look upon the battle as lost. Meantime winter was approaching, and the Romans became more and more confident that they should conquer, while Pyrrhus had no prospects. He could not recruit his own troops, for the Gauls were penetrating into Macedonia and threatened the frontier of Epirus; his kingdom was very limited, and the people showed the greatest disinclination to cross the sea for their

ambitious king, while the barbarians stood on the frontiers. Pyrrhus, moreover, did not trust the Italians; and in order to retain his control over them he placed together one Italian moveable cohort and a phalangitic battalion, alternately; the former fighting with the pilum. This may have been more appropriate theoretically, than it actually turned out to be: it is clear from Polybius, that Pyrrhus observed this order of battle, and he made use of it at Beneventum, perhaps even at Asculum.

It is probable that long before this time the Romans had subdued the revolted places on the Liris, and public opinion throughout Italy declared in favour of Rome. Both parties tried to negotiate: the Romans wished to drive Pyrrhus out of Italy, because they were sure of then becoming masters of the whole peninsula. Pyrrhus, on the other hand, who began to be weary and wished to give up the undertaking, made repeated overtures to the Romans, but they resolutely refused to negotiate so long as any foreign troops were in Italy. New consuls were now appointed, one of whom is called Fabricius; and a noble Epirot, or according to others, the king's physician or cup-bearer (his name also is not the same in all authorities, some calling him Timochares, Nicias, etc.) is said to have offered to the Roman consuls to poison the king. The story itself is not at all incredible: but it is related in all the versions in so contradictory a manner, that it cannot possibly have been publicly known. It seems to me to be nothing else than a preconcerted farce, devised by Pyrrhus, in order to obtain a pretext for quitting Italy: we should hardly venture to express such a suspicion, had not similar things happened in our own time; for the negotiation between Napoleon and Fox in 1806 is quite a parallel case. The intention was to conclude a truce, and when the Romans delivered up the traitor to him, Pyrrhus restored all his Roman prisoners without ransom, and the Romans, in return, probably sent him an equal number of Tarentines and Itali-

cans. Pyrrhus now declared to his allies that he would go to Sicily, whether he was invited, and that there he would find the means of affording them more effectual assistance. In this manner he obtained from the Romans a preliminary truce, by which however they did not renounce their right to continue the war against the Italians; and unhappy Samnium was left to its fate. Pyrrhus had now been in Italy for two years and two months, and he remained in Sicily upwards of three years.

After the death of Agathocles, the Greek portion of the inhabitants of Sicily was divided into factions, and tyrants ravaged the island, while the Carthaginians extended their dominion, and the Mamertines (Oscan mercenaries) treacherously took possession of Messana. Pyrrhus was looked upon as a deliverer, especially as he had married Lanassa, a daughter of Agathocles: he took his son with him to Syracuse, and homage was there paid to the young man as king. Pyrrhus expelled the Carthaginians from the island, except from the impregnable Lilybaeum, and closely blockaded the Mamertines within their walls. His friend Cineas must have died before that time; for we find him surrounded by a different set of men, who were his evil geni and led him to ruin. His good sense induced him to conclude peace with the Carthaginians on most excellent terms, for they retained only Lilybaeum; the cowardly Siceliots, however, were dissatisfied, thinking that they were none the better, so long as the Carthaginians remained in any part of their island; though in reality their situation, under the present circumstances, would have greatly improved. Pyrrhus had conquered the Mamertines and united all Sicily under the strong monarchy of an Aeacide; but he now yielded to the unfortunate counsels of others, which were the more unsafe as he was wanting in perseverance. The siege of Lilybaeum was an enormous undertaking, for the fortifications of that city were among the wonders of the ancient world; and the fleet of the Carthaginians con-



stantly supplied it with fresh troops and provisions. The consequence was that Pyrrhus was obliged to raise the siege, whereby he lost credit with the fickle Siceliots: this led him to tyrannical measures; and he was not a little pleased when the Italian allies requested him to return at all hazards, since otherwise they would be compelled by the Romans to conclude a most disadvantageous peace. He landed at Locri, for it was impossible for him to cross the straits, Messana being in the hands of the Mamertines, and Rhegium in those of a rebellious Campanian legion. During his passage to Italy he was attacked by a Carthaginian fleet, which destroyed a great many of his ships, so that he saved scarcely any of the treasures which he had collected in Sicily, and had lost a great part of his men and money when he arrived on the coast of Italy.

During his absence of more than three years, the Romans had continued the war with extreme cruelty: the people against whom they fought could form only guerillas, who did much injury to the Roman armies, but yet were unable to resist them in open warfare; and consequently they became weaker and weaker. I will not speak of the particular places which were then destroyed: the ancient city of Croton, which was twelve miles in circumference, now received its death-blow, and became quite deserted; the Romans conquered one place after another, and changed the country into a wilderness. On his return to Italy in A. U. 477, Pyrrhus restored his army in the most wonderful manner; he had a great many veterans from the army of Agathocles, Punic deserters and others, and he now called upon the Tarentines and all the Italians to take up arms: his army is said to have consisted of 80,000 men, but this is probably an exaggeration. He pitched his camp in the neighbourhood of Taurasia not far from Beneventum, and was met by Curius, who seems to have had only a single army. Pyrrhus was already dejected, for he had lost faith in his invincible powers, and

mysterious forebodings and dreams made him uneasy: he had not indeed become quite desponding, but his cheerfulness was no longer the same as before. His plans for attacking Curius were excellent, but many points were left to fortune, and Fortune had turned her back upon him. His intention was to march with a numerous detachment round the Roman camp, which was situated on an eminence, and at the dawn of day to rush down upon the enemy from the heights, while another attack was to be made at the same time from below. But by night-marches an army always arrives later than is anticipated: the detachment which he had sent up the heights mistook its road; the king waited for the preconcerted signal that he might advance even during the night, but it was already broad daylight, and no signal was seen or heard, when the Romans learned that the enemy was behind them in the mountains. They immediately prepared for battle, and their camp being easily defensible, their main army marched out against that of Pyrrhus. The Romans were already familiar with fighting against elephants; they used burning arrows wrapped up in hemp, which when thrown with sufficient force penetrated the skin of the animals, while the burning hemp and pitch infuriated them. They had previously made a similar attempt at Asculum; but they now employed this device on a much larger scale. Great mischief was done by a female elephant whose young one was wounded in this manner, for she rushed upon her masters with the utmost fury. The Epiröts were overwhelmed, their phalanx was completely broken, and the defeat was so decisive, that Pyrrhus could not even maintain his camp, but retreated to Tarentum. The Romans, besides other booty, took eight elephants.

The contest was now decided, and Pyrrhus' only thought was how to give up the whole undertaking, though he was unwilling altogether to abandon his possessions in Italy. He accordingly left Milo at Tarentum with a considerable force, which was sufficient

to prevent the Romans from venturing upon a siege, but at the same time a fearful scourge for Tarentum itself. The Romans now directed their arms against each separate nation which they had to subdue, while Pyrrhus had recourse to a stratagem for the purpose of getting away from Italy. He caused a report to be spread among the Tarentines that he was going to settle the affairs of Macedonia, and that he would then return with all the forces of that kingdom. It is possible, however, that he actually entertained some belief of this kind. After an absence of six years, he now returned with a reduced army to Epirus. He there found ample scope for enterprises. Antigonus Gonatas, who had just been raised to the throne of Macedonia, was deserted by his troops, and all the country proclaimed Pyrrhus their king; but soon afterwards the Macedonians were exasperated by the licentious

conduct of his Gallic mercenaries, and again revolted to Antigonus. Pyrrhus then transferred the war to Peloponnesus, and undertook an expedition against Sparta, in which he nearly gained his object, but his success was thwarted at the very moment when the Epirots were entering the city. Fortune was always unfair to him, placing success within his reach merely in order to snatch it away. From Sparta he proceeded to Argos, being invited thither by the republican party to assist them against the aristocracy and the tyrant Aristippus, who had called in the assistance of Antigonus. During an engagement with the latter within the walls of the city, Pyrrhus was killed by a woman, who threw a slate from a roof on to his head. The history of Greece during that period is so obscure, that we do not even know the year in which the great Pyrrhus died.

## LECTURE LXIV.

Two years after Pyrrhus had quitted Italy (A.U. 480), L. Papirius the younger and Sp. Carvilius completed the subjugation of Samnium. Both had been appointed to the command with the full confidence that they would accomplish this object, because twenty or twenty-five years before they had conducted the most decisive campaign in the third Samnite war. The Samnites had now come to the conviction that they could not struggle against fate, and saved themselves by a peace, which, painful as it was, cannot be called disgraceful: it was in reality a submission to Rome, rather than a peace. We know none of the particular terms of this peace; but it is clear that the bonds of the confederacy, of which, however, only three cantons remained, were broken. The Samnite cantons continued to exist separately, and had to pledge themselves *ad maiestatem populi Romani comiter colendam*.

The same Papirius, either as consul or as proconsul, gained possession of Tarentum. Milo had remained behind in that city with a few thousand Epirot troops. He behaved altogether as a rough warrior, or in reality as the captain of a band of robbers, like the Spanish generals in the Netherlands. The soldiers thought themselves entitled to do anything they pleased, and the name of *latro* is perfectly appropriate for them. Milo must have been a man like Ali, pasha of Janina, and his associates, capable of the deepest dissimulation, and no word or oath was sacred with him. We can scarcely form an idea of what such a garrison (*φρουρά*) was in those times, even when it belonged to an allied nation. We may form some notion of the truth, if we know the history of the Thirty Years' War, and of that of the Netherlands, when such garrisons were like bands of robbers that took up their quarters in the cities. The discipline

of the Romans was infinitely better. Milo was a perfect scoundrel. He made the Tarentines believe that he would negotiate peace for them, and then quit their city; but instead of this he sold the town, and delivered the citadel up to the Romans, while the Tarentines were firmly believing that peace was going to be proclaimed. One morning when they awoke, they learned with horror that Milo had opened the gates of the Acropolis to the Romans, and that he himself had embarked and was gone. The Romans must have carried away many costly treasures even on that occasion. The walls of Tarentum were razed to the ground, and all those who had been alive at the time when the insult was offered to Postumius, were massacred. The Romans boast of having restored Tarentum to freedom; but the meaning of this is, that they allowed the town to exist, and permitted the inhabitants to retain their landed property, and to have their own magistrates; but for a long time a Roman legion was stationed at Tarentum, which, like all the Greek towns south of Naples, had to pay a tax (unless, as was the case with Heraclea, they were particularly fortunate), to distinguish them from the Italian towns, from which the Romans demanded military services. The Greek towns, however, had to furnish Rome with ships.

The Lucanians, Bruttians, Sallentines, Picentians, Sarsinatans, and Umbrians, now one after another acknowledged the supremacy of Rome, though for the most part not until they had made a last attempt, whereby their fate only became worse. The terms of submission were various. Bruttium, for example, had to give up to the Romans half of the Sila-Forest, which was of great importance for ship-building; but the Romans acquired the sovereignty and revenues of all those countries. They now established a new chain of fortresses, the first, which had been made during the Samnite war, being no longer sufficient; on the Adriatic, Brundisium, and on the Lower sea, Pyrgi, and others.

Ten years after the departure of

Pyrrhus, Rome was the mistress of Italy, from Romagna, Ferrara, Ravenna, the marshes of Pisa and the river Macra, down to the Iapygian promontory: it thus became the most powerful and compact state that then existed: it had a large number of free allies, and behaved in such a manner, that there must evidently have existed a general law which regulated its relations with the Italian allies: we clearly see the tendency to form by degrees all those elements into one Roman people. The allies had in reality to blame themselves for having fought so long against the will of fate. The nations retained their own administrations, laws, languages and dialects; but Rome was their central point, and they were gradually to rub off what was foreign to, and irreconcilable with that centre. Italy was divided for the purpose of taxation, and placed under a definite number of quaestors, who raised the revenues. Hence the increase in the number of quaestors from four to eight. It would almost seem that isopolity was established for all the people of the Oscan and Sabellian races; the Etruscans had a separate constitution. In these regulations, it was determined what part the separate nations were to take in each war, and there must have been a sort of gradation in the services they had to perform, although the consuls were at liberty, on entering upon their office, to announce to the commissioners of the allies, who had then to come to Rome, what number of soldiers each state had to furnish. At this time, regulations must also have been made to determine what share the allies were to have in the public land of the Romans, and in what proportion they might take part in the foundation of colonies; rules were laid down, moreover, for all Roman allies, on what conditions they might acquire the Roman franchise, and in order that too many might not be drawn from their homes to Rome, it was determined, that whoever should migrate to Rome, should be obliged to leave one member of his family behind in his native place. The obligation to serve in the Roman armies was regu-

lated by general laws. If we compare the relations in which the allies of other ancient states stood to the states which had the supremacy, the comparison will be found to be extremely creditable to the Romans, who treated their allies in a very honourable manner. The Roman allies, for instance, had only to furnish pay for their own soldiers, and Rome supplied them with provisions. There was no new legislation; the ancient constitution was only consolidated, and fixed in matters of detail.

The punishment inflicted by the Romans on the Campanian legion stationed at Rhegium is the most important event of this period, as it brought the Carthaginians in conflict with the Romans. Campania contributed one legion to the Roman armies, and was on terms of perfect equality with Rome, according to the ancient right of *municipium*,<sup>1</sup> although Rome had in reality decided advantages over it. Of the eight legions sent against Pyrrhus, one was composed of Campanians,<sup>2</sup> and was placed as a garrison at Rhegium,<sup>3</sup> to keep that town in submission; for though fear of the Bruttians had, in former times, induced the Greek towns of Italy to entertain friendly relations with Rome, yet after the arrival of Pyrrhus in Italy, their fidelity was more than suspicious, and it was found necessary to secure them by garrisons. Several of them had already got rid of these garrisons by treachery, and the inhabitants of Rhegium were said to harbour a similar design; at least, Decius Jubellius, the commander of the Campanian legion, charged them with this crime,<sup>4</sup> and exacted a truly Satanic vengeance. In order to remove any scruples which his soldiers might otherwise have felt, he caused forged letters of the Rhegines to Pyrrhus, in which they offered to surrender the garrison to the king, to be read aloud to them. There-

upon the soldiers began their reckless butchery: the men were massacred, the women and children were sold as slaves, and the city fell into the hands of the soldiers. About eight years before this occurrence, the Mamertines, Oscan mercenaries, and kinsmen of the Campanians, had done the same at Messana, and their common crime now united them together still more closely. The Romans themselves took no part in these horrors, but after the war was over, marched against Rhegium, where the rebellious soldiers had already maintained themselves for ten years. Had they delivered up to the Romans their guilty leaders, they might have escaped with a mild punishment; but their crimes had brought them into a state of savageness, and they thought it impossible that the Romans should pardon their conduct. They consequently determined to offer resistance to the last, and indulged in the hope that they might, after all, maintain themselves with the aid of the Carthaginians. The Carthaginian general in Sicily ought to have acted with decision; but this was too dangerous, considering the disposition of his countrymen, for if he had been unsuccessful, he would certainly have been sacrificed. The siege lasted for a long time without the Carthaginians interfering. At last the city was stormed: of the 4000 men only 300 survived, who were sent to Rome and beheaded. The Carthaginians had hesitated, perhaps on account of their alliance with Rome; for the memorable treaty which had been concluded between the two states after the expulsion of the Tarquins had been renewed several times,<sup>5</sup> especially with regard to the boundary of their dominions in Sicily and Sardinia. At the beginning of the war with Pyrrhus, they had entered into a formal alliance which had not previously existed,<sup>6</sup> and which bound them to mutual assistance; neither of the two states being allowed to conclude peace with Pyrrhus

<sup>1</sup> Vol. iii. p. 144.

<sup>2</sup> Id. p. 464; ii. p. 58, with the note of the translators.

<sup>3</sup> Vol. iii. p. 477.

<sup>4</sup> Id. p. 480.

<sup>5</sup> Vol. iii. p. 86, foll.

<sup>6</sup> Id. p. 506.



without the consent of the other. When Pyrrhus was in Sicily, both nations were in the highest degree jealous of each other; and when, in the second year of the war with Pyrrhus, a Carthaginian fleet of 120 vessels appeared before Ostia to assist the Romans, it was dismissed with thanks without being used.<sup>7</sup> After Pyrrhus had quitted Italy, and while the war against Tarentum was still going on slowly, a Carthaginian fleet cast anchor in front of the harbour of Tarentum, to assist the town against the Romans.<sup>8</sup> The Carthaginian admiral entered into negotiations with Milo, which, however, only accelerated the peace with the Romans, and Milo availed himself of the opportunity of obtaining several thousands of gold-pieces more than he would otherwise have received. This was the first misunderstanding between the Romans and Carthaginians, which, strangely enough, is not noticed by Polybius, while it is mentioned by other writers. This is the more surprising, as there was nothing to induce Polybius to suppress the circumstance; and he is, besides, the most honest of historians.

During the siege of Rhegium, the Romans concluded a treaty with Hiero of Syracuse, which was the first treaty of Rome with a Greek state beyond the boundaries of Italy. Hiero supported the Romans with energy;<sup>9</sup> for his great object was to recover Mes-sana, and to expel the Mamertines, which could be effected much more easily if Rhegium fell first, and might have been accomplished indeed, if the war had been prosecuted with greater vigour. But the siege was protracted, the assistance which Rome had received from Hiero was almost lost sight of, and the Romans now did what they would before have been ashamed of doing.

The first cause of the misery inflicted upon Sicily was the unfortunate expedition of the Athenian fleet against

Sicily; it was, to speak with the poet, the *νῆες ἀρχέακοι*, the first link in the long chain of misfortunes. That expedition was a mistake, for even if it had succeeded, it would have been extremely difficult to derive advantages from it; but it is nevertheless a pardonable error, that a people full of imagination and love of activity, should have allowed itself to be persuaded to such an undertaking. The Athenians were first invited by the Chalcidian towns, in consequence of the sad hatred existing between the Doric and Ionic races, which was propagated even in the colonies; but the great expedition under Alcibiades was undertaken at the request of the Segestani, a Pelasgian or Doric people, at the foot of Mount Eryx, in the west of Sicily, who were hard pressed by the Selinuntians, a people of the Ionic race. The expedition, as is well known, utterly failed. As the Syracusans were becoming sole masters of the island, the Segestani, fearing that they might be attacked in consequence of their having solicited the assistance of the Athenians, threw themselves into the arms of the Carthaginians, who, with a large army, conquered Gela, Camarina, and other towns, and encamped before the walls of Syracuse, where Dionysius was then becoming tyrant. The war was carried on with varying success; but in the second campaign, Dionysius seemed, by the conquest of Motye (the surviving inhabitants of which founded Lilybaeum), to gain the ascendancy; so that it appeared probable that the Carthaginians would be expelled from the island altogether, when a peace was concluded, which left Carthage in possession of the territories of Selinus and Himera, that is, of one third of Sicily. The country was now shamefully governed by Dionysius, the younger; under Dion, it was torn to pieces by internal struggles, but was pacified by Timoleon. The latter defeated the Carthaginians, and although they retained their conquered province, the Greeks were enabled to restore their towns in it. There now followed a period of peace and happiness in the Greek part of Sicily; but then came

<sup>7</sup> Vol. iii. p. 506.

<sup>8</sup> Id. p. 538, foll.

<sup>9</sup> P. 541, with note 981.

the fearful usurpation of Agathocles and his stormy reign, which, with all its vicissitudes, was long and victorious; but it was a terrible time, and the reign of Dionysius was, comparatively speaking, looked upon as having been an age of humanity and happiness. Agathocles was a man of no ordinary talents, but he was a monster. His reign, although sometimes surrounded with splendour, was for Syracuse a period of the greatest misery. He lavished the marrow and heart's blood of the country, while he surrounded himself with the splendour of magnificent palaces and the like. The devastations of Sicily under this tyrant were so fearful, that it is scarcely conceivable how agriculture and population could maintain themselves; and especially how Syracuse could be one of the greatest cities of the world. His wars are, on the whole, memorable on account of their awful calamities; but, as his adversaries had likewise severe reverses, these wars still cast some lustre upon his reign. His peace with Carthage was concluded on tolerable terms, although it did not answer his previous expectations. Agathocles was one of those men who suffer the punishment of their crimes even in this world. Contentions divided his family, and it can scarcely be doubted that he was poisoned by his own son or grandson; he did not die, but was burnt half-alive, as the poison acted too slowly; and his whole family was at last extirpated. The curse which rested upon the house of Lysimachus passed over to that of Agathocles. After his death, the democratic form of government was restored at Syracuse, but could not maintain itself, and the island fell into complete decay. The Carthaginians had destroyed Agrigentum in the reign of Dionysius; it had been restored to some extent, and after the death of Agathocles became an independent city, under a prince of the name of Phintias. Sicily, as early as the time described in the letters which bear the name of Plato, was in such a condition that the Hellenic races were in danger of being oppressed by the Carthaginians and

Oscans. This was the case after the death of Agathocles, whence I believe that the letters ascribed to Plato, at least the earlier ones, among them, the seventh and eighth, belong to that period; for there can be no doubt that they are ancient, and belong to the classical period; though they are not genuine, that is, they were not written as early as the time of Plato. Bentley says there are two ways of proving the spuriousness of a book; the one by means of its contents; the other by means of its language. Very little can be said in this case against the contents. As to the seventh and eighth letters, people may have different opinions in regard to the language, but their contents show that they belong to a later age than that of Plato. One instance, among others, is the prophecy that the Greek race would perish, and that the inhabitants of the island would speak Oscan and Phœnician. Agathocles had carried on his wars by means of mercenaries, who were for the most part barbarians; many also were Samnites, Lucanians, and Oscans, which last name at that time comprised all the Sabellian tribes. We never hear of Romans having served as mercenaries, whereas Etruscan soldiers are mentioned in Sicily, and especially Mamertines, which was the common name for Oscan mercenaries; and the latter occur in Sicily at a time when Rome was at war with their mother country. This fact shews that the relation of individuals to the state was quite different at Rome from that which subsisted among other nations, and this accounts for the strength of the Romans. The feeble hands which, after Agathocles, undertook the task of government, were unable to manage those troops, and therefore gave them money that they might return to Italy. The troops accordingly went to Messina to embark, but the Messanians, quite forgetting the curse which the Zancleans, once faithlessly expelled by them, had pronounced, received them into their houses; soon afterwards, however, they were massacred by their guests,

and then those mercenaries regularly established themselves as an independent people, under the name of Mamertines, and many other Oscans joined them. The horrors which these mercenaries perpetrated, resemble those which were committed in the Netherlands in 1576, where bands of mercenaries plundered whole towns, as a means of procuring their hire : such, for instance, was the fate of Maastricht. This Oscan colony was allied with the Rhegines, and supported them ; and it was only with the aid of Hiero that the Romans were enabled to conquer them.

After Pyrrhus had left Locri, the whole island appeared to be in a state of dissolution. Not long after this, however, Hiero, then a young man, was at the head of the Syracusan army, and the soldiers, fortunately for Syracuse, proclaimed him king. He was a great man, and as good a king as they could have wished for. He was descended from an ancient noble family at Syracuse, and some, perhaps from flattery, traced his origin to Hiero, the son of Dinomenes, so that his circumstances favoured his usurpation, at a time when the state could be happily governed only by a monarch, and when a monarchy could be established only by usurpation. In his reign, which lasted upwards of fifty years, the first Punic war broke out. The strength of his little kingdom became, of course, much exhausted by the support he gave to the Romans, although he reigned with the greatest wisdom and economy. He made a gentle use of his power, ruled like a citizen over his equals, and never insulted the feelings of his subjects.<sup>10</sup> The last twenty years of his reign were very prosperous, and Syracuse began to recover from its sufferings.<sup>11</sup> But, notwithstanding all this, Syracuse, after the death of Hiero, was still a very decayed place. Hiero had in his youth been of a warlike disposition, but this afterwards almost entirely vanished. There is a circumstance

connected with his history, which is mentioned by the Scholiast on Ovid's *Ibis*, but is seldom noticed. Hiero is there said to have ordered Theocritus to be put to death on account of some satire ; and such a thing is by no means unlikely in the case of a Greek ruler of that time.

Hiero was anxious to expel the Mamertines from Messana and to take possession of the town ; he would then have been a neighbour of the Romans, and he hoped that he might be able to fall back upon them, if the Carthaginians should become too powerful in the island. Carthage had extended her dominions, had gained possession of Agrigentum, and advanced as far as Gela and Camarina, so that she now occupied as great a portion of the island as after the first peace with Dionysius. Hiero's external relations to Carthage, however, were at that time of a friendly nature, and there is little doubt that an actual peace had been concluded between Carthage and Syracuse. The latter city had but few dependent towns, Catana and Taormenium being allies.

When Hiero had, by an excusable stretch of power, got rid of his old mercenaries, whom he betrayed in war, and caused to be cut to pieces by the Mamertines, and when he had firmly established his authority, he formed a new army, and undertook the war against the Mamertines,<sup>12</sup> who had extended their sway over almost the whole of the north-eastern part of the island. Hiero was successful, and being supported by the Carthaginians, with whom he still kept up a good understanding, he gained a great battle. Messana was besieged by both in concert ; and under these circumstances the Mamertines saw no means of escape. It was the wish of Hiero to destroy them, because they endeavoured to annihilate the Greek population ; but the Carthaginians had not the same interest in so doing, and

<sup>12</sup> The beautiful idyl of Theocritus, called *Charites*, or *Hiero* (xvi.), refers to this war. Theocritus is a poet in whom we perceive the intellectual freshness of Sicily at that time.—N.—Compare vol. iii. p. 562.

<sup>10</sup> Vol. iii. p. 561, foll.

<sup>11</sup> Id. p. 617.

merely wished to expel them from the island; for as they were Oscans and Italicans, and of the same race as the Romans, the Carthaginians mistrusted them, and feared lest they should open to the Romans the way into Sicily, which they themselves were anxious to keep clear of an Italian population. It was, moreover, the intention of the Carthaginians, in case of success, to keep Messana for themselves, and to use Hiero as their tool.<sup>13</sup>

The Romans had, in the meantime, punished their faithless allies, and compelled the legion besieged at Rhegium to surrender. The Mamertines, in their distress, solicited the assistance of the Romans. This was, as Polybius expresses it, an *ἄτοπον*, or something the absurdity of which must strike every one. The Romans, who had just punished their own allies for the very crime of which the Mamertines were guilty, at first scrupled, and refused to comply with their request: but the demon of ambition had already taken possession of their minds. They reasoned with themselves thus: that they must not take too strict a moral view of the case, and that they could not be made to answer for the sins of the Mamertines in a foreign country: moreover, they owed it to themselves not to allow the Carthaginians to become masters of Messana and its excellent harbour, which would give them an opportunity of sending a fleet to Calabria without any difficulty; whereas now their nearest port was that of Palermo, from which such an undertaking could not be ventured on. Their calculation was quite correct, for Carthage in possession of Messana would have become as invulnerable to Rome as England was to Napoleon.<sup>14</sup> What intentions the Carthaginians entertained in regard to Italy, might be inferred from the fact of their having sent a fleet to Tarentum; and if they

were allowed to acquire the full possession of Sicily and Sardinia, Rome, through her false delicacy, would soon see the war transferred to her own territory, which would be the more dangerous, as the fleet of the Carthaginians might sail wherever they liked. It would have been in accordance with true moral and political principles, against which nothing could have been said, if they had endeavoured to put Hiero in possession of Messana. The state of things required a quick resolution, since the Mamertines might easily secure the protection of the Carthaginians, by merely throwing the gates open to them. The senate took no resolution, and it seems that it even rejected the proposal, either from timidity, or on account of moral scruples. Had the ancient regulations been still in force, according to which, nothing could be brought before the centuries without a proposal of the senate (*μηδέν ἀπροβούλευτον*), the matter would have been decided; but the tribunes now could bring the question before the assembly of the people without a resolution of the senate, and there it was decreed that assistance should be sent to the Mamertines. Polybius attributes this step to what he believes was the fact, that the people, oppressed by debt, were anxious for a war in order to enrich themselves. If this view is correct, it shows that even as early as that time, the poor people predominated in the assembly. But Polybius probably assumed this motive, only because he conceived that it might have existed; there may have been many other motives. At any rate, however, the resolution was rash and thoughtless, for the Carthaginians were masters of the sea, and the Romans had not a single ship of war. In the maritime towns which they had taken, they had even destroyed all the galleys of the Etruscans and other nations, perhaps in order to prevent piracy, and to avoid the responsibilities which they would have thereby incurred. According to Polybius, they had only a few triremes and pentecontors from the Greek towns to carry their troops

<sup>13</sup> The Carthaginians had moral principles which differed from those of the Romans, and there may be some truth in the charge of faithlessness brought against them; but it is wrong to say that *fides Punica* was the same as the Roman *injuria*.—N.

<sup>14</sup> Vol. iii. p. 563. Compare Polyb. i. 10.



across from Rhegium to Messina. Pliny, on the other hand, states that within forty days they built 300 triremes; and a few ships would certainly not have sufficed. From Rhegium they negotiated with the Mamertines, who, as the Romans had been too slow in their movements, had admitted the Carthaginian general with a very few Carthaginian troops, or perhaps none at all, into the town. A legate of Appius Claudius went to Messina, and negotiated with the Mamertines, who were glad to obtain a peace which was quite unworthy of the Romans, and the Carthaginian commander was obliged to quit the town. The Carthaginians, whose fleet was stationed at Pelorus, although war was not yet declared, had wished to prevent the Romans from crossing over into Sicily; but the Romans were favoured by the current and wind, and with incredible boldness crossed the straits in small bodies. The Carthaginians, who had undertaken to protect Messina against Rome, now allied themselves, as I have already stated, with Hiero; and when the Romans were in possession of Messina, they were besieged by the Syracusans and the Carthaginians in separate camps; the Carthaginians were probably encamped to the north, and Hiero to the south of the city, and the communication between the two may have been difficult. As Messina was situated on the slope of a hill of considerable extent, the Romans could easily sally forth against King Hiero, who offered a powerful resistance indeed; but the Sicilian soldiers could not hold out against the Roman legions, and he was defeated. After this victory, the Romans turned against the Carthaginians, apparently without any declaration of war, whereupon the latter retreated with their insufficient forces, and the Romans advanced without

encountering any resistance. In the following year, 489, when the consuls, M<sup>r</sup>. Otacilius and M<sup>r</sup>. Valerius (surnamed Messalla, from Messina) landed in Sicily, the Romans appeared before the walls of Syracuse. A number of Greek towns, as Tauromenium, Catana, and others, opened their gates to them; and when preparations were made for laying siege to Syracuse, Hiero, following the wishes of his people, made overtures to the Romans, and found a favourable reception, as it was evident that Carthage would not continue to look on while the Romans were making such progress in Sicily. Hiero remained the sovereign of only a small state, became the ally of the Roman people, and paid down a small contribution of one hundred talents.<sup>15</sup> The alliance thus established between the Romans and Hiero was both offensive and defensive.

The beginning of the first Punic war is usually dated from the passage of the Romans into Sicily; but their alliance with Hiero must be looked upon as its real commencement. The condition of Carthage at that time is very obscure, although much has been written about it. The Carthaginians were an Oriental people, and of a character widely different from that of the Romans or the Greeks, who, for this reason, should not be our guides in judging of the Carthaginians. The first Punic war was, on the whole, conducted very awkwardly; and previously to the time when the great Hamilcar Barca appeared in the field, it presents no such claims upon our sympathy as we meet with in the history of the wars against Pyrrhus and the Samnites.

<sup>15</sup> Polyb. i. 16. Compare vol. iii. p. 569, where Niebuhr follows the account of Orosius (iv. 7), according to whom Hiero had to pay 200 talents.

## LECTURE LXV.

EVERYBODY knows that Carthage was a colony of Tyre. We may adopt the statement, that the building of Carthage took place seventy-two years before the alleged foundation of Rome.<sup>1</sup> This statement is quite historical, and, like many which occur in Josephus' work against Apion,<sup>2</sup> of infinite importance; it is in all probability founded upon Phœnician chronicles, of which he used a Greek translation made by Menander of Ephesus. They are as genuine as Berosus and Sanchuniathon, and are closely connected with the history of the Jewish kings. To suspect a forgery by Josephus is quite out of the question. It is evident that Timæus had the same statement in view, though he made the foundation of Rome contemporaneous with that of Carthage; but the difference is not great, if we calculate the *saecula* at 110 years. Historical works existed at Carthage and were known to the Romans; but after the destruction of Carthage they were given to the kings of Numidia.<sup>3</sup> Whenever we meet with such dates in history, and wish to act in a truly philosophic manner, we must endeavour to understand them with great precision, and accept them with gratitude.<sup>4</sup> Carthage was

not the first Tyrian settlement in those regions. Utica (in Phœnician *Athica*) had been previously founded; its establishment belongs to the time when the power of the Phœnicians was at its height, when they founded settlements in Cyprus and many other places. The stories about Pygmalion, Elisa, etc., although we look upon them as something more than mere fables, are beautiful and truly poetical legends. The Phœnician settlements in Cythera, Thasos, and other places, belong to a much later date than is commonly supposed. I believe that Cadiz existed before the foundation of Carthage.

The original name of Carthage was Bozra (a town *Βύρσα*, whence the story of a cow's hide and of the mode of purchasing the ground). By the side of Bozra there soon arose a new town Carthachadta, contracted Carchadta (Carthago, *Καρχηδών*), just as Neapolis arose by the side of Parthenope. This town remained, perhaps for two hundred years, an insignificant place, and rose very slowly; it was in a state of dependence upon Tyre, and paid tribute to the neighbouring Libyan tribes. The relation between Carthage and its mother-city is a beautiful feature in its history, and Carthage never neglected the duty it owed to its parent Tyre, even when the condition of Tyre had become completely altered. The manner in which, and the time when, Carthage began to extend its dominion, are unknown; situated in the midst of barbarous tribes which were incapable of assimilation, it could not thrive as quickly as the Greek colonies

<sup>1</sup> Vol. i. p. 272.

<sup>2</sup> It is strange that Josephus did not look into the Phœnician originals themselves, but was satisfied with Greek translations and extracts.—N.

<sup>3</sup> Pliny, *Hist. Nat.* xviii. 5; Sallust, *Jugurth.* 17.

<sup>4</sup> Some time ago I found a wish expressed somewhere by a writer of our nineteenth century, that historians would adhere to the old-fashioned chronology which counted the years from the creation of the world. But whoever writes such things, shows that he does not know history, and that he has no notion of the manner in which it should be treated. That system of chronology has become ridiculous by the abuse which has been made of it. If a man will now write a chronology, and, like Calvisius, ascend to the beginning of the world, and according to this plan give us, in his table, for instance, a list of the kings of

Attica, it is something more than old-fashioned, it is laughable. I may add here, that a true philologist does not attach any great importance to his being able to state exactly in what month or on what day a Roman emperor ascended the throne: such things are trifles, although in certain instances they may be interesting enough.—N.

on the coast of Asia, which were inhabited by nations closely related to the Pelasgians, if not in their language, at least in their purely human character which was so peculiar to them. Such nations were, e. g. the Lycians and Carians, who, even previously to their being Hellenised, possessed a high degree of civilisation, as we see from their monuments and institutions. The Carthaginians were not compelled to attend to agriculture, and therefore could not increase at the rate which we find when families are much subdivided. The Libyans were hard and oppressive neighbours; they were barbarians (they are called Berbers to this day) who became mixed with the Phoenicians only by slow degrees. It was not till the middle of the third century of Rome, that is, more than 300 years after its foundation, that Carthage appears in history as a political power. The early times of Carthage are involved in impenetrable darkness; we have only a few statements in Justin from Trogus, and in Diodorus, who probably derived his information from Timaeus. From Justin,<sup>5</sup> we hear of a civil war in which Maleus, a Carthaginian general, conquered his native town; but I cannot dwell upon any detail, and shall give you only a rapid sketch of the history of Carthage. This much is certain, that for a long period Carthage paid tribute to the Libyans; and the first symptom of strength was that they shook off the yoke in a great war. It seems to have been particularly fortunate for Carthage, that the position of its mother country Phoenicia was so peculiar; it had struggled long and vigorously against Egypt, and at length obtained the protection of Persia, under which its condition was sometimes tolerable indeed, but still at times it felt the foreign dominion to be very oppressive, and many Phoenicians may have emigrated to their free and independent colony, which now began to flourish the more, as by its connection with Persia, Tyre became the port for all Asia, even as

far as India. The treaty of Carthage with Rome, in the year of the city 245, shews that the Carthaginians then ruled over a part of Sicily, Sardinia, and Libya, and formed a large state, comparatively speaking.

About the year of Rome, 272, the Carthaginians are said to have crossed over into Sicily with a great army of 300,000 men, against Gelo of Syracuse and Theron of Agrigentum: but this expedition is fabulous. I do not mean to say that there was no expedition at all, but its reputed greatness is fabulous. Their defeat at Himera, and the battle of Salamis, are said to have occurred on the same day;<sup>6</sup> but a more correct chronology founded on Timaeus shews that Gelo, to whom this victory is ascribed, did not ascend the throne until after the battle of Salamis. The synchronism is altogether visionary, and destroys the whole chronology of the history of Sicily, nor is it possible that the expedition of the Carthaginians can have been so important. The only things that can be regarded as certain are, that the expedition took place about Olymp. 76 or 77, that the Carthaginians were defeated, and that for a long time afterwards they did not think of any fresh attempt against Sicily; but they strengthened themselves in other parts. At the time when the Athenians were in Sicily, the Carthaginians were confined to three points, viz.: Motye, a Punic settlement in the island, and the two Greek towns of Panormus and Soloeis,<sup>7</sup> and during the Athenian expedition no mention is made of the Carthaginians. After the unfortunate issue of that enterprise the implacable enmity of the victorious towns against the towns which had admitted the Athenians, brought great calamities upon the island. The Carthaginians were invited by the inhabitants of the former, and came over with a considerable army. In this campaign, about 350 U.C., Selinus, Agrigentum, Camarina, and Gela were destroyed, and the very existence of the Greeks in Sicily was

<sup>5</sup> xviii. 7.

<sup>6</sup> Diodor. xi. 20, foll.

<sup>7</sup> Thucydides, vi. 2.

threatened. Dionysius, the elder, concluded a disadvantageous peace, and in some measure restored the former boundaries; but afterwards he was more fortunate. In the reign of Dionysius II. the war with the Carthaginians was renewed, but Timoleon defeated them, and compelled them to withdraw to Motye and Lilybaeum. A favourable peace, however, was then concluded, and the western part of Sicily, including Selinus, was ceded to the Carthaginians, and a line from Himera to Agrigentum, (the rivers Himera and Halycus,) marked the limits which afterwards remained the normal boundary, and was usually restored on the conclusion of a peace. In the time of Agathocles the Carthaginians besieged Syracuse, but he twice landed with an army in Africa, and having destroyed Motye he confined them for a time to Lilybaeum; but afterwards he was compelled to restore the normal boundary. Soon after the death of Agathocles there followed the war of Pyrrhus,<sup>8</sup> who prosecuted the plans of Agathocles. After his departure, the Carthaginians again extended their dominion, and recovered Agrigentum.

At the commencement of the first Punic war, the Carthaginians were in possession of the whole of the western half of the island, and of the north coast as far as Myle and Messana. Their empire in Africa extended as far as the great marshes in the east, and comprised nearly the whole of modern Tunis. Along a great part of the coast they had a number of colonies, and probably in the interior also. The coast of Algiers, as far as the straits of Gibraltar, was covered with fortified factories, or properly speaking, colonies; but in those parts of the coast where the mountains advance too near the sea, they appear to have had no strong settlements.<sup>9</sup>

All Sardinia was subject to them, with the exception of the mountainous districts, which were inhabited by savage tribes, who then lived in the same manner as they do at the present day.<sup>10</sup> There were also a few Carthaginian settlements in Corsica, probably near its excellent harbours. Carthage was moreover the sovereign of the Balearian islands. In Spain she possessed the coasts of Granada and Murcia, and Gades was in a state of dependence, although it was a sister-town.

In regard to the political constitution of Carthage, we are quite in the dark. I have made several attempts to see my way clearly, and have read all that has been written upon it, but no important result is to be gained. It is evident, however, that when Aristotle<sup>11</sup> speaks of a *δημος* at Carthage, we must conceive it as a perfect commonalty which was gradually formed out of colonial citizens and Libyans.<sup>12</sup> The *δημος* of Carthage consisted of such *σύγκλυδες*, Libyans and Punians, who though quite distinct from each other, even in their language, could easily be formed into a *δημος*, like the patricians and plebeians of Rome,

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the Arabs conquered those countries, they found a people there, which, to some extent, was able to understand their language; and this must have greatly facilitated their progress. The idioms of Tunis and Malta undoubtedly contain Punic elements, modified by the influence of the Arabic, and are certainly worthy to be investigated by Orientalists; but, unfortunately, those scholars do not often write about things of any historical importance.—N.

<sup>10</sup> They still wear the same dress of goat skins which Cicero (*Pro Scauro*, c. 2) calls *mastrucca*.—N.

<sup>11</sup> *Polit.* ii. 8, p. 63, foll. ed. Götting.

<sup>12</sup> There is a prejudice which might seem to be opposed to this supposition. In speaking of Africans, we are apt to think only of negroes, and to forget that the Libyans, or the Amazirgs (Shilhas, Maxyes, Massesylians), as they call themselves, do not differ in their whole physical constitution from the inhabitants of southern Europe. The Libyan tribes had, it is true, a peculiar language; but all the coasts of the Mediterranean, including the principal part of Egypt, previously to its conquest by the Ethiopians, were occupied by white nations, which, although differing in language, did not find any greater difficulties in assimilating themselves to the Romans, than an Iberian or Celtic population.—N.

<sup>8</sup> Vol. iii. p. 511, foll.

<sup>9</sup> The Libyans had received a Punic civilization, and adopted the Punic language. Saint Augustine says, that Punic was his mother tongue. The Libyans are a remarkable instance of the great influence of a people like the Carthaginians. It is very probable, that when



though they belonged to one and the same nation. The relation between the Punians and Libyans was analogous to that existing between the Lettian and Lithuanian tribes and the German colonists, or between the Slavonic population about Lübeck and the Germans, the former of whom likewise became completely Germanised. We know that Carthage had a senate, *γέροντες*, which held the reins of government down to the first Punic war. According to Aristotle, the *δῆμος* of Carthage had not much more power than that of Sparta, where the people were like the three hundred legislators of Napoleon, who were obliged to submit to his will. At Sparta, the magistrates alone were permitted to speak in the assembly, and the *δῆμος* was silent. The people might, it is true, reject what was brought before them, but it would not have been very advisable to make use of this right. At Carthage, says Aristotle, matters were different, for any one might at least come forward and speak. Those whom he calls *βασιλεῖς*,<sup>13</sup> (the suffetes, *schoffetim*,) had in former times undoubtedly been the highest military officers; afterwards, when powers were scrupulously divided, they became a mere administrative authority, and their power was carefully kept distinct from that of the military commanders. Moreover, we find mention of a body called the Hundred, probably the same as the One Hundred and Four of Aristotle, who compares them to the Spartan ephors. I have shewn elsewhere<sup>14</sup> that this number bears a relation to the fifty-two weeks of the year, just as in the Greek constitutions so many things are connected with the divisions of the year into twelve months. There were also magistrates, whom Aristotle calls *πενταρχίαι*,<sup>15</sup> but what they were we do not know; they were elected by the body of One

Hundred and Four. The council of the One Hundred and Four were unquestionably the *centum senatores* before whom, according to Justin, kings and generals had to undergo the *εὐθύνη*: perhaps they were a council which, like the ephors at Sparta (*παραπλήσιοι ἐφόροις*), had the right to interfere with the administration of the senate and the kings. Aristotle further remarks, that in reality the senate was invested with the entire power of administration and government, and that only the decision of certain cases rested with the people. There existed, accordingly, no representatives of the people to set them in motion, like the tribunes at Rome. The highest offices at Carthage were given *ἀριστίνδην* and *πλουτίνδην*, and were *ῶνηται*, as Aristotle says. This statement agrees with a passage in Polybius,<sup>16</sup> who says that it was customary at Carthage to purchase offices from those who had them to dispose of, without any scruple; a practice which we also find in the smaller cantons of Switzerland, especially in the Grisons, where the office of high-bailiff is sold in a most disgraceful manner. At Venice, too, the practice was once very notorious, though there, indeed, the offices were not formally sold, but it was understood that every one should pay for them. At Venice, persons sought the great offices of state as a *provvigione*, to restore their ruined estates. The rich were never punished, not even for murder, but paid down fines, and *cartes blanches* for murder were regularly sold. Such also was the character of the Carthaginians. They were, it is true, a commercial people, but this should not have deadened their feelings of honour, any more than it does, for example, in England. But sentiments like those which we find in modern times in America, were quite general among the Carthaginians, and were the source of their misfortunes.<sup>17</sup> As far as their wealth reached, they were all-

<sup>13</sup> *Polit.*, as above.

<sup>14</sup> Vol. i. p. 339, note 85r.

<sup>15</sup> *Polit.* ii. 8, p. 64, ed. Güttling, if the reading is correct. Our text of Aristotle's Politics is derived from a single Paris MS. of the fourteenth century, and is one of the most corrupt texts of ancient writers.—N.

<sup>16</sup> vi. 56.

<sup>17</sup> In some parts of America, any profit which a person can make is thought lawful.—N.

powerful : but their avarice drew upon them the hatred of their neighbours and subjects. Lybia had to pay exceedingly heavy taxes, and had, like India, to give up a fourth, or in extraordinary emergencies, even half of its produce. To these heavy taxes, we must add all that the Carthaginian governors received or extorted. When Aristotle<sup>18</sup> says that the Carthaginians kept the commonalty in good humour by sending its members to other towns, not to settle there, but to suck out the blood of their inhabitants, we must own that Carthage was altogether in a very bad condition. Hence, the contrast between Carthage and Rome in its better days is very striking. Certain great men, however, such as Hamilcar, Hasdrubal, and Hannibal, succeeded nevertheless in gaining the affections of the people in subject countries ; for they acted like kings, with perfect independence. When Hamilcar was in Spain, the Carthaginians were really popular there. Had Mago or Himilco been sent thither, the state of things would have been far different.

<sup>18</sup> *Polit.* p. 66.

The Carthaginians themselves were very unwarlike, and thought that money would indeed be worth nothing, if, notwithstanding their wealth, they themselves should be compelled to serve as soldiers. Their armies, therefore, consisted of mercenaries, only the cavalry being formed of Carthaginians. Their military system had its advantages as well as its disadvantages. The mercenaries were an evil, but the circumstance that their generals were not magistrates at the same time, had its advantages ; for the same general might often be allowed to pursue his plans for a number of years, whereas the Romans allowed their consuls to act during one year only, or at most during a second year as proconsuls. The Carthaginian generals, therefore, were intimately acquainted with their soldiers, and a great general like Hamilcar could accomplish incredible things. Previously to the time of Hamilcar, however, the choice of their generals was often so unfortunate, that it would have been better if changes had been made more frequently.

## LECTURE LXVI.

IN order to understand the operations of the belligerents during the first Punic war, it is necessary to have a clear view of the physical structure of Sicily. The heart and kernel of Sicily is Mount Aetna, from which a chain of mountains stretches along the coast towards the Apennines, and proceeds through Bruttium as far as Hipponium. The range of mountains in southern Italy belongs, if we consider it geologically, to Sicily, and forms a continuation of Mount Pelorus. The Apennines, which are of quite a different structure, terminate in the neighbourhood of Hipponium, and are connected with the Sicilian mountains only by low hills, so that the Greeks often entertained the idea of making a canal across the isthmus, which would at

present be a very easy undertaking. The range of mountains from Aetna to Messina often runs so close to the shore, that there is hardly a narrow road between the sea and the mountains. South of Aetna, the mountains leave a considerable plain towards the sea, especially about Leontini. In the south of Sicily, between Syracuse and the western part of the island, there are only low hills. West of Aetna, there run chains of mountains which are designated by the names, *Heraei montes* and *Nebrodes montes*. From Pelorus to Himera, the mountains run close by the sea-shore ; the sea washes the foot of the mountains, and in many places there is no road at all between the mountains and the sea. An artificial road might indeed be

built, as is the case on Mount Posilipo near Naples ; but that has not yet been done. To the west of Himera, there is a small extent of flat coast, and the mountains become gradually lower. A short distance from Palermo there is a perfect plain, out of which there rises only one hill, the ancient Hercte (Monte Pellegrino), which is crowned with the convent of Santa Rosalia. Further west, the mountains rise again, and Mount San Giuliano (Eryx) is, next to Aetna, the highest point in Sicily, and rises in an unusual manner from groups of lower hills. The country about Enna is flat. The south-western portion, as far as Agrigentum, is for the most part a flat coast ; near Gela and Camarina the country is likewise flat ; and further east from Agrigentum, the mountains are at a considerable distance from the coast, so that if we imagine a line drawn from Agrigentum to Catana, the country south of this line is a perfect plain, which is only interrupted here and there by low hills. By means of this general outline we shall be able, I hope, to estimate the manner in which the war was conducted. Persons have asked, "Why did not the Romans, who were in possession of Messina, proceed along the coast to Panormus, which would have facilitated the communication ?" The answer to this lies in the nature of the country, with which I have become acquainted, not through the description of travellers alone, but through paying strict attention to the events of the year 1812, when the English sent an expedition to Palermo. This expedition also could not reach Palermo by land, but was obliged to be transported in ships. And as it is now, so it was with the ancients : the communication between Messina and Panormus was not practicable by land.

In order to avoid filling our heads with a mass of confused detail, we must divide the first Punic war into five periods. The first comprises the first four years, from 488 to 491, during which the Romans carried on the war without a fleet, and the Carthaginians were masters of the sea ; the Romans

had the greatest difficulty in crossing, and could reach their enemies in Sicily only by land.

The second extends from 492 to 496 ; the Romans now built a fleet, and were more successful than could have been expected ; the Carthaginians were defeated by sea, and Regulus effected a landing in Africa.

The third contains the campaign of Regulus in Africa during the years 496 and 497.

The fourth begins with the destruction of the army of Regulus, and ends with the victory of L. Caecilius Metellus, at Panormus, from 497 to 501. Fortune during that time was almost equally balanced ; the Romans lost two fleets by storms, and the Carthaginians had the ascendancy in Sicily ; but the Romans, nevertheless, conquered in the end.

The fifth period is a struggle of ten years, about Lilybaeum and Drepana, from 502 to the victory near the Aegates insulae in 511. During this last period, the war was confined to the extremely limited space about Lilybaeum and Drepana. The diversion which Hamilcar Barca made, and of which we unfortunately know so little, is one of the most brilliant exploits in the history of ancient or of modern warfare, on account of his taking Hercte and Eryx, although it is more important in a military than in an historical point of view : it was a military game at chess, which shewed a general who created his own resources, and had them under his full control.

Wars which have been protracted through a considerable number of years, cannot be properly understood, unless they are divided into such separate and distinct masses as I have just made in regard to the first Punic war. The Thirty Years' War is generally related without such divisions ; and it is for no other reason that people find it so difficult to form a distinct and accurate idea of it.

Respecting the tactics of the Carthaginians, we know in reality nothing ; but it can scarcely be doubted, that each kind of mercenaries retained its own peculiar weapons and mode of

fighting; the Carthaginians themselves, when they did serve in their armies, formed most probably a phalanx, like the Greeks. The Spaniards and Celts fought, I believe, *catervatim*, with small swords, and wore linen breast-plates. The Gauls, no doubt, fought in great masses.

In the year 490, the third of the war, the Romans besieged Agrigentum with two armies.<sup>1</sup> This city was of very great extent; but, as a city, it was only a shadow of what it had been 140 years before, that is, previously to its first destruction by the Carthaginians. A Carthaginian army of 50,000 men, under the command of a general of the name of Hannibal,<sup>2</sup> had thrown itself within its extensive and very strong walls. The Romans besieged them very closely for a period of seven months. The Roman consuls advanced from the south, formed two camps, and drew two lines of fortifications against the city and any one who might attempt to relieve it. At the commencement of the war, the Carthaginian generals were very inferior men, and it was unfortunate for Carthage that Hamilcar Barca came too late, and at a time when it was no longer in his power to recover what had been lost. During the first period, the Carthaginians seem to have made little or no use of elephants, and to have shrunk from entering upon an open contest with the Romans. Hannibal had been careless enough to allow himself to be thus shut in; and as Agrigentum was not situated close to the sea, he was unable to obtain any

succour from that quarter; but he succeeded in conveying urgent requests to the Carthaginians for support, by means of messengers and letters. The siege had already lasted for five months, when the Carthaginians did at last send a large army, and fifty elephants, under Hanno, to the relief of the besieged in Agrigentum; but not having sufficient courage to fight, he protected himself and his troops in a fortified camp near Heraclea, whence he hoped to compel the Romans to raise the siege by cutting off their necessary supplies. He took Erbessus, the place of arms of the Romans, and encircled them by means of abattisses and the like, in such a manner that they came into great difficulties in regard to provisions and the health of the troops. Thus Agrigentum suffered for want of provisions through the Romans, and the Romans through the Carthaginians. As the latter were masters of the sea, the Romans were much confined by the Numidian horsemen, the Cossacks of the ancients, and in foraging excursions they often sustained great losses; it seemed as if they must raise the siege and retreat; but to this they could not make up their minds, and their perseverance in this instance also led them to victory. They continued the blockade with such strictness, that Hannibal saw no way of improving the condition of his troops. After Hanno had been encamped in the manner above described for two months, he may have seen reasons for making an attack; but the Romans gained a complete victory, and indemnified themselves by the booty they found in his camp. Meantime, Hiero had afforded them all possible assistance; and without him they would have been annihilated. Hannibal, whose situation was one of extreme difficulty, availed himself of an opportunity, while the Romans, in the night after their victory, were indulging in rejoicings, for making preparations for a sally. Whether the Romans allowed the besieged to escape, in order not to drive the enemy to desperation, or whether the Carthaginians forced their way through the Roman camp, cannot be said with certainty;

<sup>1</sup> Vol. iii. p. 570, foll.

<sup>2</sup> The Carthaginians are mentioned only by their prænomen, and we might be easily led to think that they were all related to one another, as there are so few prænomena, such as Hannibal, Hanno, Hamilcar, and a few others. They answer to our Christian names, and to the Roman prænomena, such as Gaius. There can be no doubt, however, that all had, at the same time, family names, which were not used then: they even had surnames, which, however, are almost lost to us. The generals bearing the name of Hannibal, throughout the history of Carthage, are so insignificant, compared with the one great man who gave to the name its celebrity, that they are but rarely mentioned.



but the Carthaginian army left the city, and made its way through the Roman fortifications: all those who could bear arms followed them; and the rest of the population, the defenceless and the sick, remained behind. Next morning the Romans took the town, and committed all the horrors which usually accompany such an event: the soldiers indemnified themselves for the sufferings and hardships they had endured during the seven months of the siege, and the whole of the unfortunate population was carried away.

After this fearful catastrophe, a year passed without any events of importance. The Carthaginians had their other places in the west well provided and fortified, but they also acted on the offensive: their fleet was cruising off the coasts of Italy, which they ravaged; and the northern coast of Sicily surrendered to them from fear, while the Romans occupied the interior and the eastern coast. The taking of Agrigentum suggested to the Romans entirely new ideas respecting the objects of the war. At its commencement, they had merely wished to have Messina and Syracuse as their dependent allies, but they now cherished the plan which Dionysius, Agathocles, and Pyrrhus had endeavoured to realise, namely, the expulsion of the Carthaginians from the island altogether. But they saw at the same time, that it was impossible to accomplish this without a fleet. The difficulty was the same as at Athens, where, during the Peloponnesian war, and the period immediately succeeding it, no other vessels were built than triremes, lembi, and pentecontors. A trireme contained from 200 to 220 men, who were partly rowers and partly epibatae, and was provided with a deck. The pentecontors were open boats, and contained 50 men.<sup>3</sup> The benches of the

rowers in both, ran across the ship, and one before the other. These ships had long since been surpassed by others. After the Peloponnesian war, larger vessels were first built at Syracuse, the chief seat of mechanical science: at first, quadriremes, and soon afterwards, quinqueremes; the latter were larger, but not round ships, and may be termed "ships of the line," for the difference between triremes and quinqueremes cannot have consisted in the number of benches and rowers alone, but must have been visible chiefly in their construction, otherwise it would have required no particular art to build them. They were used in the Macedonian fleets as early as the time of Alexander the Great, and in Sicily, and they afterwards occur during the first Punic war; but the Romans, as well as their subjects, had only triremes.<sup>4</sup> Where ships of the Antiatians are mentioned, we must understand triremes. Although the ancients, like the modern Greeks, had excellent sails, their object was to make their ships independent of the wind, current, and waves, like our steam-boats; and they found the power which gave them this independence, in their oars. A quinquereme had 300 rowers, and 120 marines; and a trireme with 120 rowers bore the same proportion to a quinquereme, which a steam-boat of twelve-horse power bears to one of thirty, and could do as little against it as a frigate or a brigantine can effect against a ship of the line. At the commencement of the war, the Romans had transported their soldiers to Sicily in triremes, and hence it is said that they had no armed vessels. It is certain that they were not acquainted with the art of ship-building. The most natural course for the Romans would now have been, to send some ship-builders to Greece or to Egypt (for they had connexions with Ptolemy Philadelphus) to obtain models; for the ancients, like ourselves, built from models, which is the most natural method, and is also expressly mentioned. But this they did

<sup>3</sup> This number is found in the *Lexic. Rhetoricum* (in Bekker's *Anecd.* i. p. 298); Herodotus (vii. 184) mentions that pentecontors contained eighty men. The number given in the text occurs only in one, but a very careful copy of the notes taken down in the lecture-room.

<sup>4</sup> Vol. iii. p. 575, note 1052.

not do, and it fortunately happened that a Carthaginian quinquereme was thrown upon the coast of Bruttium, after which model the Romans built 120 ships.<sup>5</sup> They were of a clumsy construction, and in no way to be compared with the Carthaginian ships. In addition to this, the Romans had no sailors, or only a few; and as a fleet of one hundred quinqueremes required 30,000 rowers, they were obliged to man their ships chiefly with men from the interior of the country, and with slaves, for the number of sailors from Etruria and the Greek towns was far too small.<sup>6</sup> The Romans had to learn the service in the fleet, just as in Russia and France those men who come from the inland districts. Polybius goes too far in saying that they had no trained sailors at all. But what seems to us most ludicrous is, that the men were exercised on scaffoldings: if the Carthaginians were at all like modern nations, such a method of drilling men must have called forth a host of caricatures, for it was truly laughable. The contrast between a Roman and a Carthaginian vessel was the same as there is at present between a Russian ship of the line and an English or an American one. But the Romans were great in all things, and devised means by which they overcame their difficulties. Their fleet could not possibly stand against that of the Carthaginians, unless the ordinary tactics were changed. The idea of getting rid of artificial evolutions in maritime warfare, and of letting ship fight against ship, must have presented itself at this very time, and not afterwards, as is commonly believed. For it required the greatest skill to manage and direct a ship against wind and waves, in the same manner as a horseman manages his horse, and so as to destroy, by means of the rostrum, the enemy's ship, and tear away the benches of the rowers. The Romans could not hope to effect any such thing. If we have to fight against an enemy of superior skill, the

only means by which we can hope to conquer him, is to oppose him with greater masses, or with some unforeseen contrivance.<sup>7</sup> In order to make up for the awkwardness of their ships, the Romans attached boarding bridges to them.<sup>8</sup> It was a simple idea to form wooden bridges which held two or three men abreast: both sides were protected by parapets, to prevent the men falling into the water. In the fore part of every ship a tall mast was set up, along which the bridge was drawn up, and at the upper end of the bridge there was an iron ring, through which ran a cable. The bridges were drawn up and let down by means of a pulley; they were thrown upon the ships of the enemy by the help of this simple mechanism, and took a firm hold of them by means of grappling irons. When a Carthaginian vessel was thus boarded, the advantage of its greater speed and lightness was lost, and the Romans were able to make use of the best soldiers of their legions. As the Carthaginian soldiers were bad, or at least, far inferior to the Roman legionaries, the latter had decided advantages. But the principal object now was, to get so near the enemy's ships as to be able to make use of the boarding machines. In the first attempt at maritime warfare in the year 492 according to Cato, or 494 accord-

<sup>7</sup> The great Carnot saw this, and rejected the old tactics of lines which our forefathers had used, and with which the French commenced the wars of the revolution and were deplorably beaten. Carnot was one of the greatest men of modern times; he saw the problem at once, and solved it. He formed the troops into masses, with which he rushed upon the enemy. These masses, if once broken through, would have been lost; but they had confidence, and threw themselves irresistibly upon the thin lines. A whole year passed away before the enemy comprehended this new method. It was with these new tactics that Carnot decided the battle of Watignies (on the 15th and 16th of October, 1793), which forms the crisis of modern military history, and the importance of which has never yet been rightly understood. General Hoche made use of the same military system in Lorraine: it was by means of heavy masses that the Americans defeated the English ships, which they could not have done in any other way.—N.

<sup>8</sup> Vol. iii. p. 577, foll.

<sup>5</sup> Vol. iii. p. 576, note 1053. These ships were 100 quinqueremes, and 20 quadriremes.

<sup>6</sup> A different opinion is expressed in vol. iii. p. 576.

ing to Varro, the Roman squadron was lost near Lipara, through the imprudence of its commander Cn. Cornelius Scipio. But a few days after, the Carthaginians had likewise to sustain a heavy loss, for one of their squadrons, under Hannibal, fell in with the Roman fleet and was almost completely destroyed. The victory of the consul, C. Duilius, off Mylae, which soon followed, was decisive. The Carthaginians began the engagement with great contempt of the Roman navy: they had 130 ships against

100 of the Romans; but they soon discovered their delusion, and despair came over them when they saw the sea-fight changed into a land-fight. Fifty Carthaginian ships were taken; many others were destroyed, and the Romans, intoxicated with joy at this brilliant victory, landed in Sicily and relieved Segesta, which, like Rome, boasted of its Trojan origin. Fortune thus favoured their first enterprise on the unstable element, and thenceforth remained faithful to them on it.

## LECTURE LXVII.

EVERY one knows the great honours with which C. Duilius was rewarded for his victory; he was the first who celebrated a naval triumph; and was afterwards allowed to be accompanied home in the evening from banquets by torch-light and a flute-player, which must otherwise have been forbidden, and the celebrated *columna rostrata*, the shape of which is unknown to us,<sup>1</sup> was erected, with inscriptions recording the details of his victory. A small fragment of these inscriptions is still preserved; but it is not generally known, that the present table which contains it is not the original one,—the antiquaries at Rome are aware of this, but not those of Germany,—for it is a piece of Greek marble, which was unknown at Rome in the time of Duilius. The original column, according to Tacitus, was struck by lightning in the reign of Tiberius, and restored by Germanicus, who retained the old spelling and language. The forms of the letters, also, agree with those of the age of Tiberius; those on the tombs of the Scipios are quite different.

After this victory, the hopes of the

Romans knew no bounds; the war in Sicily was commenced with redoubled energy, and in the following year a Roman fleet proceeded to Sardinia. The conquest of this island was difficult, because the Punic language and civilisation had become established in the coast districts; however, all these subjects had been kept in an unwarlike condition, in consequence of the jealousy of the mother country, so that the proceedings of the Romans were facilitated; but still no great progress was made.

The two following years were spent in that expedition against Sardinia, and in making conquests in Sicily. In the latter war, A. Atilius Calatinus found himself in an impassable district, and a tribune, whose name is differently stated, some calling him M. Calpurnius Flamma, others, Q. Caeditius or Laberius, sacrificed himself with a small band for the safety of the army, just as Decius had done in Samnium. According to Cato's *Origines*, he was severely wounded in the battle, but being found still breathing among the slain, he afterwards recovered.

In the third year after the victory of Duilius, the Romans with a large naval armament appeared off the coast of Sicily, and an indecisive battle was fought off Tyndaris on the northern coast; but as the war in Sicily could

<sup>1</sup> It was, perhaps, a brass pillar made of the beaks of the conquered ships. The common description of it, as a pillar with the brass beaks projecting from it, is quite modern and without any authority whatever.—N.

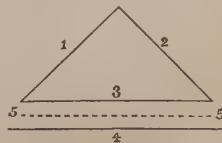
not be brought to a close, year after year being spent in conquering a few small places, while the Carthaginians still maintained themselves from Selinus to Lilybaeum, and on the whole northern coast of the island, from Lilybaeum to Mylae, the Romans in the year 496, the ninth of the war, determined to attack the Carthaginians in Africa. Agathocles had shewn that they were most vulnerable in their own country, and the Romans accordingly resolved to compel the Carthaginians to make peace. There can be no doubt that at that time the Romans only wanted to make themselves masters of Sicily. In order that they might be able to act with the necessary energy, they increased their navy to no less than 330 men of war, which were, according to Polybius, for the most part quinqueremes; the Carthaginians, on being informed of these preparations, increased their fleet to 350 quinqueremes. Polybius, in his preface, draws attention to the tremendous efforts of this war, and with justice; for as every quinquereme had 300 rowers, and 120 marines, the Romans employed about 140,000 men, and had, besides, a number of transports for their horses (*ἵππηγοί*). He observes that even the great battles of the Macedonian kings, of Demetrius, Ptolemy and others, and afterwards of the Rhodians, were small in comparison.

Such immense masses have nothing pleasing in history, for barbarians too can muster them. The victory of talent and art over physical strength cannot shew itself on such occasions. The victory even of Duilius, with his boarding-bridges, was, properly speaking, the result only of a rude invention, by which the true art of the Carthaginian navy was frustrated. In the Seven Years' War, when the tactics of lines were customary, the military art was at a higher point than now, when battles are fought with masses. In like manner, the use of great masses of artillery is a manifest sign of the decay of intellectual power and humanity in modern warfare. At a later time, the ancients also rivalled one another in the magnitude of their ships,

which were increased even to enneres, as, e. g. the ship which Archimedes built for Hiero, who sent it to Alexandria. They were useless colossuses, surpassing in magnitude even our ships of the line. Subsequently, however, they returned to very light ships, *liburnae* and *lembi*, of which we cannot form any accurate idea. In the most brilliant times of the Byzantines and Venetians, battles were fought in small ships. The Carthaginian forces were equally strong; the Roman ships were still awkward, and their success still depended upon their boarding-bridges. They sailed along the eastern and southern coasts of Sicily, because the northern coast was in the enemy's possession, and because they had to take in provisions at Syracuse. The Carthaginians met them between Agrigentum and Pachynus (near Ecnomus).<sup>2</sup> The Romans adopted the system of fighting in masses, and divided their fleet into four squadrons. Each consul commanded one; the third and fourth were commanded by generals whose names are unknown. As they sailed against the enemy, the first and second squadrons formed two sides of a triangle, so that only two ships were facing the enemy. These two lines gradually formed a right angle, and the triangle was closed by the third squadron. The fourth was placed behind to protect the transports. They accordingly formed an *ἐμβολον*; a manoeuvre which required many favourable circumstances for its execution.<sup>3</sup> The Carthaginians, who met them near Ecnomus, had made a more skilful division of their forces; their left wing, about one quarter of the whole fleet, sailed in a long line along the coast, and was joined at a right

<sup>2</sup> Vol. iii. p. 583.

<sup>3</sup> 1, 2, 3, 4, are the numbers of the squadrons; 5, the transports.





angle by the immense fleet, one ship after another, so as to extend far out into the sea. The Romans sailed past the line along the coast, and threw themselves upon the centre of the line which was drawn out. The Carthaginian admiral did not intend that the latter should resist the point of the advancing wedge; and drawing up their sails, the Carthaginians pretended to flee, in order to separate the Romans from their third and fourth lines. The Romans pursued them; but two parts of the long line returned and attacked the two foremost Roman squadrons. The third part of the Carthaginian fleet, which was sailing in the open sea, likewise returned and threw itself upon the fourth Roman squadron. Meantime, the line along the coast advanced to attack the third, which now left the transports to their fate. Thus there arose three naval engagements. The first and second Roman squadrons speedily conquered; the fourth gained an equivocal victory, and the third came into great difficulties. The centre retreated to protect them, and the boarding-bridges did good service on this occasion. The engagement ended in the complete defeat of the Carthaginians: 30 ships were sunk or thrown upon the coast, and 64 were captured. From 30,000 to 40,000 men fell into the hands of the Romans.

After this defeat, the Carthaginian fleet made for Africa, to protect Carthage against any attack. They had lost their strength and courage to an inconceivable degree. The sea was now open to the Romans for executing their plan, and both the consular armies, under L. Manlius and M. Atilius Regulus, sailed to Africa. They landed south-east of cape Hermaeum, which, opposite to Carthage, closes the gulf of Tunis, near the town of Clupea (in Greek *Aspis*, the Punic name is not known), and took the place after a brave defence. They made this town their place of arms, and hence spread into other parts of Africa. The main army of the Carthaginians was still in Sicily, as they had entertained to the last the firm hope of preventing the

Romans from landing in Africa, where they were consequently unprepared to meet the enemy. The Romans found the people everywhere inclined to desert their cruel masters. Their fortified colonies existed only on the coast. In the interior they had, except in a few municipia, adopted the policy of the Vandals, who, from fear of rebellions, pulled down the walls of all the towns just as at a later period the Lombards did in Italy. The Carthaginians, therefore, had but few fortified places in Africa to keep their subjects in submission; most of the towns belonging to them being open places. Although the Carthaginians were not barbarians, still they treated their subjects very harshly; they followed the system which is found throughout the East, where the sovereign is the owner of the soil, and everybody else has the use of it only according to the pleasure of the king. They required immense sums of money to pay the Celtic and Iberian mercenaries, and were, therefore, obliged to extort them from their subjects. The consequences of this system had been seen in the wars of Agathocles: the progress of an enemy in Africa could not be stopped; but the Africans were perhaps discouraged from attempting to revolt, by the unfortunate issue of the war of Agathocles; for, after his departure, the Carthaginians had taken cruel vengeance on those who had joined him; but, nevertheless, they did not now promote the interest of Carthage. It is almost inconceivable what could induce the Roman Senate at this juncture to call back L. Manlius and his army, and to think that Regulus and his army would alone be sufficient to carry on the operations against the Carthaginians. Manlius sailed back with nearly the whole fleet, and carried the booty to Rome.

After the departure of Manlius in 497, Regulus nevertheless defeated the Carthaginians near *Adis*.<sup>4</sup> Their militia was excessively timid, and withdrew into inaccessible districts to pro-

<sup>4</sup> Vol. iii. p. 587.

tect itself ; unwarlike and without zeal as their soldiers were, they were easily driven out of their strong places, so that Regulus found no difficulty in taking the fortified town of Tunes, in the immediate vicinity of Carthage. He encamped on the river Bagradas, and the Carthaginians were in extreme difficulties. Africa seems to have been looked upon at that time as a land of fabulous monsters and dragons. The story about the huge serpent on the river Bagradas, whose skin is said to have measured one hundred and twenty cubits, and whose defeat could only be effected by the exertions of the whole Roman army, with their ballists and catapults, although Livy<sup>5</sup> related it quite seriously, must be regarded as a fable. It is very surprising to find such a story in the midst of an historical narrative. There may indeed have been a gigantic serpent, for it cannot be absolutely denied that the earth and sea contain creatures which are so rare that we are inclined to consider them as fabulous ; it is also not unlikely that the Romans had to sustain losses through large serpents ; but this particular tale is worth nothing, and was, perhaps, like many others, borrowed from the *Bellum Punicum* of Naevius, who had served in the war, and, as a poet, might with all propriety invent such a marvellous occurrence. At any rate it would be most wonderful, if the monster had measured exactly that number of cubits, which so often occurs in Roman institutions, namely a multiple of 10 and 12.

The Carthaginians were reduced to the last extremity ; their courage failed them, and they could not withdraw their army from Sicily without giving up the island altogether. An embassy was therefore sent to Regulus to sue for peace. Regulus is one of those men who, without deserving it, have acquired a great name through apophthegmatic histories : in his prosperity he was without mercy, intoxicated with victory, and ungenerous. There is a story, according to which he petitioned the senate for his recall, be-

cause his farm was going to ruin during his absence.<sup>6</sup> But we know from Polybius, that he had set his heart upon concluding the war himself, in order that his successors might not reap the fruits of his labours ; and this shews the more clearly how unreasonably he acted, in demanding from the Carthaginians things which were utterly impossible ; for just as if he had wished to drive them to despair, he made the terms of peace even more distressing than those which they actually obtained at the end of the war.<sup>7</sup> Had he demanded the surrender of Sicily, and a sum of money to indemnify the Romans for the expenses of the war, the Carthaginians would have consented ; but he had the foolish conceit to think that he could crush Carthage at one blow. His terms were senseless ; the Carthaginians could not have been dealt with more severely, if their very capital had been besieged. He demanded the recognition of the supremacy of Rome ; an offensive and defensive alliance with Rome ; assistance in all her undertakings ; the surrender of all their ships of war except one ; they were to have only triremes, and if the Romans should require it, then Carthage was to send fifty triremes to assist them ; they were not to conclude a treaty with any other nation without the permission of Rome. It was further demanded that they should give up Sicily, Sardinia, Corsica, and the Liparian islands ; surrender all the Roman prisoners and deserters without ransom, but pay ransom for the Punic ones, and defray all the expenses of the war, and a military tribute besides. These terms were unreasonable, and Regulus deserved the fate which awaited him. Carthage would not submit to them, and declared that it would rather fight to the last. It was fortunate for the Carthaginians that the Romans conducted the war unskillfully ; the latter ought to have established themselves opposite to Carthage, within the Gulf of Tunes. But they had sent back their fleet, and

<sup>5</sup> Epitome xviii.

<sup>6</sup> Vol. iii. p. 586.

<sup>7</sup> Vol. iii. p. 588.

the Carthaginians, by means of their ships, enlisted mercenaries in all parts of the Mediterranean, and all the citizens capable of bearing arms were enrolled. Among those mercenaries was the celebrated Xanthippus. Diodorus<sup>8</sup> calls him a Spartan, which he certainly was not. He was a Lacedaemonian, or, according to Polybius, a Neodamodes (*νεοδαμώδης*), who in his education had been subjected to the rigid Spartan discipline,<sup>9</sup> and had thereby acquired an inferior kind of franchise. The accounts which we have of the Spartan affairs at this time are obscure; but it may be regarded as a fact, that while every Spartan was obliged to obey the laws of Lycurgus, strangers, and not merely Lacedaemonians (*περίουκοι*), or Neodamodes, but even the children of foreign proxeni, were allowed to adopt the same *ἀγωγή*. This matter, however, has not yet been made quite clear. Xanthippus came to Carthage as the leader of a band of Peloponnesians, which he himself had probably collected at Tænarus, the chief recruiting place at that time. When he saw the preparations of the Carthaginians he declared openly that they had been defeated, not by the superiority of the Romans, but through the ignorance of their own generals. It was now a fortunate circumstance that civil and military powers were kept distinct at Carthage. When Xanthippus was introduced into the senate of Carthage, and requested to propose a better plan for carrying on the war, he reminded them that they had a great number of elephants,<sup>10</sup> and in their Numidians a better and more numerous cavalry than the Romans; that they possessed a formidable power compared with the small

army of the Romans<sup>11</sup> in a hostile country; that they ought to seek the plains, for that the advantage of the Romans was in the hills; and that it was cowardice alone which could wish to transfer the war into the mountains. Xanthippus was appointed to the supreme command of the army of mercenaries; a great resolution on the part of Carthage! He arranged the army according to his own views; what he did excited astonishment; the soldiers thought that under his command they must conquer, and all demanded him as their commander: the Carthaginian general, who in this instance probably received his orders from the city, surrendered the command to him. After the soldiers were well drilled and exercised, he marched out into the open field, to the great surprise of the Romans, which was increased on the appearance of the elephants. He compelled the enemy to engage in battle, and drew up his army in a masterly manner. The Roman army had no centre, but the Greeks had three divisions, and he drew up his forces in this manner: the Carthaginians occupied the centre as a phalanx, because they were citizens, and could be useful only in masses;<sup>12</sup> the mercenaries formed the wings, and were flanked by the cavalry. The Romans likewise placed their cavalry on their flanks, but in drawing up their infantry they abandoned the usual method, for one hundred elephants were posted in front of the Carthaginian centre, and against these they formed very deep masses. But the shock was irresistible, and although the left wing defeated the mercenaries, yet the cavalry of the Carthaginians in the meantime attacked the right wing of the Romans, and the elephants trod down everything before them. The phalanx then advanced, and the whole

<sup>8</sup> xxiii. Eclog. 13, p. 504.

<sup>9</sup> Polybius, i. 32.

<sup>10</sup> The Carthaginians had not been long familiar with the use of elephants in war; and I believe that it was at the beginning of this war that they used them for the first time, for we do not find them mentioned either in the war against Dionysius, or in those against Agathocles. In India, elephants have been used in war from time immemorial, and it must have been there that the Macedonians became acquainted with their use.—N.

<sup>11</sup> Regulus, according to Polybius, had not more than 16,000 legionaries, and in all perhaps about 20,000 men; consequently his army could not have contained more than from 1500 to 1600 horsemen. The Numidian cavalry in the Carthaginian armies was always very considerable.—N.

<sup>12</sup> The *legiones urbanae* of the Romans were likewise only phalangites.—N.

Roman army was destroyed. Only 2000 of the left wing escaped in the rear of the Carthaginians to Clupea; and Regulus, having retreated with 500 Romans to a hill, was obliged to surrender.

Xanthippus was now the hero of the day, and proposals were made to him to remain at Carthage; but he had the wisdom to return to his own country with the rich presents of the Carthaginians, and to withdraw himself from the jealousy and heartlessness of a nation like the Carthaginians. Polybius informs us that there was another account, stating that the Carthaginians gave him a bad ship that he might perish on his voyage; and that according to some authorities he actually became their victim, while according to others he escaped to another ship. The Romans sent out their whole fleet to rescue the garrison of Clupea; the Carthaginians, encouraged by their victory, equipped their fleet and sailed out to meet the enemy, but were defeated. The statement which we read in Polybius, that a hundred and fourteen Carthaginian ships were taken, is probably false: the word *ἐκατὸν* should be omitted in his text, and then we have the right number of ships, that is, fourteen.<sup>13</sup>

The Roman consuls then sailed to Clupea, took their soldiers on board, and after having evacuated their last post in Africa, they sailed along the southern coast of Sicily towards Syracuse, with the view of returning to Rome by the Straits of Messina. The pilots cautioned the Romans; for it was just the season, about the beginning of the dog-days, in the first days of July, when the Sirocco is sometimes accompanied by fearful hurricanes;<sup>14</sup> but the Roman commanders despised the warning of the strangers, and a terrible storm arose while the Roman fleet was returning. When vessels, which depended solely on their oars, were overtaken by a storm of this kind, they were completely destroyed among the breakers on the

harbourless coast. It was impossible for the Roman ships to escape: nearly the whole fleet was wrecked on the coast between Agrigentum and Pachynus. Nearly 300 ships out of a fleet of 360 were completely destroyed (A. U. 497).<sup>15</sup> This was the first great disaster; but in the very same year it was to be followed by a second, in which a fleet and an army were destroyed.

The Carthaginians had now reason to believe that the Romans would make peace on fair conditions; but as they were disappointed in this hope, and as the Romans, notwithstanding their disasters, were determined to continue the war, the Carthaginians prepared themselves with double courage: they sent considerable reinforcements to Sicily, and applied the system of tactics which Xanthippus had taught them. The Romans were somewhat intimidated, and retreated to the mountains. The expenses of building a fleet were immense; hence the Carthaginians wished to carry on the war either by sea or by land, for to do both at once was too expensive. The Romans, after receiving the news of the disaster which had befallen their fleet, immediately turned their thoughts towards building a new one. They now made considerable conquests on the coast of Sicily, and also took possession of Panormus. Thereupon they sailed again with a large fleet towards the coast of Africa; but after they had laid waste the coast between Carthage and Tripolis, and had with great difficulty escaped destruction on the sands of the Lesser Syrtis, they returned to Sicily; and while they were boldly steering across the sea towards the mouth of the Tiber, they were surprised by a fearful storm, in which nearly the whole fleet was wrecked. It is of importance to know that south winds are always most dangerous storms in the Mediterranean—the *Noti* in Horace are heavy gales and of the same character as our north-west winds, which are harmless in the Mediterranean, where all south winds,

<sup>13</sup> Polybius, i. 36. Comp. vol. iii. p. 592.

<sup>14</sup> Vol. iii. p. 592, foll.

<sup>15</sup> Not long afterwards Seleucus Callinicus suffered a similar shipwreck.—N.



from south-west to south-east, are equally destructive. The danger is all the greater, as the coast of Italy is almost without a harbour and full of breakers. But in the neighbourhood of the Syrtes (from the verb *συρᾶν*) the north-west wind is equally dangerous. Vessels which approach too near, are in such a wind driven upon the sand-banks with incredible force. The danger is increased by the circumstance, that the currents which come from the Adriatic and the Euxine drive the ships with irresistible violence into the Syrtes, so that they are in them before any one is aware of it. The accounts which the ancients give of the dangers of the Syrtes are by no means exaggerated. At the present time, attention has again been directed towards those dangerous places.

The loss of the second fleet was a blow which bowed down the courage of the Romans; however they were resolved not to make peace, but to try how far they could carry on the war with more moderate exertions. The Carthaginians were masters of the sea, and availed themselves of the opportunity for ravaging the coasts of Italy; but they conducted the war in a wretched manner. The Romans remained unshaken in Sicily, so that, although [avoiding any general engagement, they yet took several places under the very eyes of the enemy, and confined the Carthaginians to the north-western part of the island. In this manner the year 501, according to Cato, approached, four years after the defeat of Regulus. From the year 499 fortune had, on the whole, favoured the Carthaginians. But the fourth period of the war now ended with the victory gained by L. Cæcilius Metellus over Hasdrubal near Panormus. The Carthaginian general had hoped to turn to his advantage the fear of the Numidian horsemen and the cavalry, which the Romans had shewn ever since the defeat of Regulus, and to conquer Panormus. He advanced to the distance of about two miles from the town, where he encamped in a beautiful plain—he may have had a secret understanding with some per-

sons in the place. It was harvest time, and he ravaged the fields. Metellus proved himself to be a great general, for he remained in his fortified camp; and in order to draw the Carthaginians into a position where their elephants would be of no avail, he drew up his lines of light-armed troops before the trenches of the camp, which was close by the walls of Panormus. The legions acted on the wings, and the light-armed infantry was driven back by the elephants into the camp. The Carthaginians followed, and advanced nearer the camp and the town. The Romans, who were constantly supplied with fresh missiles from the town, sent showers of javelins and darts upon the Carthaginians and their elephants. The wounded animals grew wild, and threw themselves upon the Carthaginian cavalry and infantry. This was the moment which Metellus had been waiting for. During the confusion which was thus produced, and while the Carthaginians were making a valiant attack, the Roman legions sallied forth from the camp on the left flank of the enemy. The Carthaginians were routed, and their disorder was so great, that more than one hundred elephants fell into the hands of the Romans; they were conveyed to Rome on rafts specially constructed for the purpose. In the Circus they were killed with missiles, perhaps to give to the people an idea of the battle in which they had been taken. This was the greatest defeat which the Carthaginians had yet suffered in the open field.<sup>16</sup> It revived the courage of the Romans, and disheartened their enemies. The Carthaginians were now confined to the extreme west of the island, where they possessed only Lilybaeum, Eryx, and Drepana. The conclusion of the war, however, was extremely difficult, the Romans not daring again to sail to Africa, and the Carthaginians endeavouring to recover what had been lost in Sicily.

In the year after this victory (U.C. 502), the siege of Lilybaeum was com-

<sup>16</sup> Compare vol. iii, p. 597, foll.

menced, and during the whole of this last period of the war we hear of nothing but sieges, which are interrupted only by blockades. The siege of Lilybaeum is one of the most obstinate efforts against one place on record; and from the moment it began, the war may be called the Lilybaean war, just as one part of the Peloponnesian war is called the Deceleian. All the five periods of the first Punic war might, in fact, be called by particular

names, which would indeed assist our memory greatly; but I will not recommend such a method, for there is much that may be said against it. The fifth and last act of this war is, for Carthage, the noblest and most glorious: the Romans shewed only perseverance and obstinacy. Concerning the civil history of Rome during this time, little can be said, for few changes were made, and the crisis was over for a time.

## LECTURE LXVIII.

I DID not mention yesterday the embassy of Regulus to Rome. Every one remembers the beautiful verses of Horace, and what Cicero says concerning Regulus. After the defeat of the Romans in Africa under Regulus, the Carthaginians, it is said, sent Regulus to Rome with proposals of peace, with the understanding that if he should not succeed, he should endeavour at least to effect an exchange of prisoners. Regulus, however, is stated to have dissuaded his fellow citizens from either measure, to have returned to Carthage, and there to have been tortured to death. The first who, with great independence of mind, demonstrated the untenableness of this story, was the excellent French philologist, Paulmier de Grentemesnil (Palmerius).<sup>1</sup> Beaufort afterwards adduced further reasons to prove that this tragedy is a complete fiction,<sup>2</sup> and that it was probably invented because the Romans allowed that the terms of peace proposed by Regulus were abominable, and that he had to make amends for his shameful conduct.

Beaufort has drawn attention to a fragment of Diodorus,<sup>3</sup> according to which, two noble Carthaginians were retained at Rome as hostages for the life of Regulus, and were given over to his wife and family. The same fragment states that they were tortured by the relatives of Regulus in a frightful manner, and that the tribunes summoned the senate, and compelled the monsters to release one of the hostages, who was kept shut up in a case containing the dead body of his comrade. Now, as both Palmerius and Beaufort justly observe, if the Carthaginians actually did torture Regulus to death, it was only an act of retaliation. It was probably this crime committed by the family of Regulus which caused the fabrication of the whole story about the death of Regulus. But even this story is not the same in all authors: according to some, his eyes were put out; others say that he was tortured with iron nails; others, again, that he was killed by being exposed to the sun and insects. Some middle-age writers take especial delight in inventing the most fearful and complicate tortures, e. g., the authors of the forged *Acta Martyrum*. Such also is the case with the story of Regulus. It surely cannot have been known previously to the time of Polybius; for had he been

<sup>1</sup> He was a contemporary of the brothers Henry and Hadrian Valesius (Valois): he was particularly well read in Polybius, and remarked how unaccountable it was that Polybius, relating the history of Regulus with great minuteness, does not mention this occurrence at all.—N.

<sup>2</sup> Compare vol. iii. p. 598, foll. Palmerius, *Exercit. in Auct. Graec.* p. 151, foll.

<sup>3</sup> *Fragm.* lib. xxiv. p. 566, ed. Wesseling.

acquainted with it, as told by later writers, he would not have passed it over in silence. The common account of the death of Regulus may be effaced from the pages of history without any scruple. It may be that it was taken from Naevius, for Diodorus was not acquainted with it, as is clear from his fragments. He knew the history of Rome but very imperfectly, and only from the earlier, almost contemporary, writers, as Philinus of Agrigentum, Timaeus, and Fabius Pictor. He had not read Naevius, and hence the latest Roman historians were probably those who gave currency to the story from Naevius. Cicero knew it, and it must therefore have been related either in Cato's *Origines*, or by Naevius.<sup>4</sup> If it originated with later authors, it arose, at the earliest, from 100 to 120 years after the time of Regulus.

Although the war had now lasted for nearly fourteen years, there had been only two pitched battles, the one at Adis and the one in which Metellus had defeated the Carthaginians; but the latter were, nevertheless, confined to the western corner of Sicily. The siege of Lilybaeum began in the year 502, and the Lilybaean war lasted full nine years: in the tenth, peace was concluded. The siege was undertaken by the Romans under unfavourable circumstances: the Carthaginians were in reality masters of the sea, but they limited their naval forces as much as possible on account of their enormous expense. The Romans, encouraged by their late success, had again built a fleet, though likewise of a limited number of ships; but it was sufficient, if not to render the communication between Carthage and Lilybaeum impossible, yet to make it difficult. Lilybaeum was the only Punic town in Sicily, and had been built by the

inhabitants of Motye after the destruction of the latter town by the elder Dionysius.<sup>5</sup> Its name is Punic, and shows the unimaginative character of the Carthaginians, for, according to Bochart, it signifies nothing but Le Lubi, that is, a place opposite to Libya. The colony was undoubtedly a mixed one, like Carthage in Spain, consisting of Punians and Libyans, and had now become a place of considerable importance. Panormus, on the other hand, had an entirely Greek population, consisting of Greeks and Hellenised Sicilians and Sicilians, although it had for a long time been under the dominion of the Carthaginians, and in fact, the inhabitants of Sicily were all Greeks, even those who had acknowledged the sovereignty of Carthage. Lilybaeum was strongly fortified, and had an excellent harbour, which was the more safe as it was difficult to sail into it on account of the sandbanks and lagoons. The sand, which is driven thither from the Syrtes by south winds, had accumulated and formed lagoons as early as that time; in the course of ages it has completely filled the harbour, and the present town of Marsala has no harbour at all, but only a miserable road.<sup>6</sup> Drepana (the modern Trapani), about fifteen miles from Lilybaeum, has preserved its excellent harbour to this day, although the Emperor Charles V., from cowardice and fear of the Moors, endeavoured to destroy it. Not far from Drepana was the town of Eryx, with the mountain of the same name. These were the chief places in the small district occupied by the Carthaginians; and the war, which was concentrated there for nine years, caused immense misery in that part of the island, for wherever armies were encamped everything was destroyed.

The Romans began the siege of Lilybaeum in a bold manner.<sup>7</sup> They enclosed it on the land side, and at the same time cruised with their fleet

<sup>4</sup> The observation that the story of the death of Regulus was taken from the poem of Naevius, was not repeated by Niebuhr in 1829, which may perhaps justify the inference that he had then abandoned this conjecture: but it must at the same time be remarked, that in 1829 he treated this whole subject much more briefly.

<sup>5</sup> Vol. iii. p. 60r.

<sup>6</sup> See a different opinion in vol. iii. p. 605.

<sup>7</sup> Compare vol. iii. p. 602.

before its harbour, so that Carthage had no communication with Lilybaeum. They made an attack upon the walls, and broke down a portion of them; but Himilco, the commander of the Carthaginians, resisted them with the greatest perseverance. The troops of the Carthaginians often seemed inclined to betray the place into the hands of the enemy, for these troops hardly ever consisted of Carthaginian citizens, who served only as officers, and sometimes in the cavalry; the main body consisted of mercenaries, whence it is the more surprising to find that Carthage had distinguished generals. It was always very difficult to manage those soldiers, who came to Carthage from all parts of the world, especially from Greece, Gaul, and Spain; and it was hardly possible to rule them by anything else than the prospect of gain. It was only such men as Hamilcar and Hannibal who knew how to attach to themselves even these motley masses; at all other times they were ready for money to embark in any treacherous plot. Such a one was now formed by some individuals in concert with the Roman Consuls; and it would probably have succeeded, had not a faithful Achaean of the name of Alexo informed Himilco of the existence of the plot, and had he not contrived by promises and sacrifices to secure some, and to dismiss the others from the service. Alexo was a man of honour, although he belonged to a contemptible class. The Romans had now for the first time adopted the Greek method of besieging: in their wars against the Samnites they had only used towers, and simply blockaded the towns of their enemy; but no regular sieges are mentioned previously to the first Punic war.<sup>8</sup> The Romans made great progress indeed, and were very successful with their fire engines. It

seems, however, to be a mistake of Polybius to state that at the commencement of the siege they threw down six towers; this circumstance belongs to a later time.<sup>9</sup> Hannibal, a bold Carthaginian admiral, kept up the communication between Carthage and Lilybaeum by making his way through the Roman fleet. When Carthage heard that the besieged were reduced to extremities, and that without speedy assistance the town would be lost, they resolved to send reinforcements to Sicily, and Hannibal conducted 10,000 men safely into the harbour, to the great consternation of the Romans. The besieged immediately made a sally, which, however, proved unsuccessful, notwithstanding their immense exertions. But a fearful west wind soon after accomplished what men had not been able to achieve. The storm blew in the direction of the Roman camp, which was full of fire engines and combustibles, and as the besieged threw fire into the camp, all the machines, towers, and galleries of the Romans soon became a prey to the flames. The six towers which, according to Polybius, had been thrown down at the commencement of the siege, seem to have fallen just before this catastrophe. The Romans now confined themselves to blockading the fortress, and as they must have been convinced that they could thereby effect nothing, they attempted, like Cardinal Richelieu, to obstruct and destroy the entrance of the harbour; but they succeeded only so far as to render the communication between the fortress and the sea less free. The Roman fleet was stationed near Lilybaeum, and that of the Carthaginians in the port of Drepana.

In the year 503, the Romans sent reinforcements to their troops, as well as to their fleet, without the Carthaginians being aware of it. They were commanded by one of the consuls of

<sup>8</sup> There is a fragment of Diodorus in which the Romans are made to request the Carthaginians not to force them to learn maritime warfare also, for they said, they had always been learning new tactics of their enemies, and had always soon conquered those of whom they had learnt.—N.

<sup>9</sup> Polybius, i. 42. In vol. iii. p. 603, Niebuhr seems to have adopted the statement of Polybius without expressing any doubt as to its correctness.



this year, P. Claudius, the son<sup>10</sup> of Appius Claudius the Blind, who had all the faults of his father without any of his great qualities : he was a daring and unprincipled man. The Romans, in consequence of the great expense, appear to have limited their forces to a single army. It is uncertain whether Claudius came to Sicily as consul previously to the sally of Himilco or afterwards. The greater part of the Roman fleet was drawn on shore near Lilybaeum, only a few ships being out at sea to keep up the blockade ; the marines were armed and employed in the land army. Meantime, epidemics had broken out here and there, as might have been foreseen, the small island of Sicily being quite exhausted by the protracted war ; many men also had perished in the battles, so that there was a want of sailors. To remedy this, new sailors were enlisted at Rome ; but they were people of the lowest orders, whose property amounted to less than 400 asses, and who had certainly never been out to sea. In a council of war Claudius proposed to attempt to take by surprise the enemy's fleet at Drepana, and the council, according to Polybius, seems to have adopted the plan. Polybius himself thinks that the scheme was feasible, but this is hardly credible, as it was prevented so easily. Among the Carthaginian generals, there were now some whom experience had raised far above mediocrity, whereas among the Romans there was not one of any great merit ; and while the Romans were superior in their soldiers, the Carthaginians excelled them in their generals.<sup>11</sup> Claudius manned his galleys in the stillness of the night, and before daybreak sailed into the port of Drepana, expecting to find the Carthaginians unprepared. They had not indeed expected the enemy, but their general had been watchful, and had observed from his

watch-towers that some of the Roman ships were already in the harbour. The Carthaginian commander, Adherbal, saw that by confining himself to the defence of the city, the ships in the harbour would be in great danger of being taken ; he therefore quickly manned his ships, and while the Roman vessels were running into the extensive harbour at the western entrance, one after another, in a long line, he led his ships into the sea along the opposite coast. When the Romans discovered what was going on, and that it was the intention of the Carthaginians to drive them into the harbour, and there to throw them on the coast, which was occupied by Carthaginian troops, a signal was given, and they hastily retreated. But while the ships which were hastening to get out pressed upon and injured those which were still running through the narrow entrance into the harbour, the Carthaginian fleet, which was outside the harbour, drew up in battle array, and attacked the Romans. The consul drew up his ships along the coast in a long line, with the prows towards the land. The Carthaginians, who had the open sea in their rear, had the advantage of being able to manœuvre freely. It seems that the Romans had given up using their boarding-bridges, for had they made use of them, the issue of the engagement might have been different.<sup>12</sup> The Romans were completely defeated, and lost ninety-three ships ; many were destroyed, and only about thirty escaped to the road of Lilybaeum, and with them the consul.

The Carthaginians had now decided advantages over the Romans. P. Claudius was recalled to Rome ; he was severely reproached as being the cause of the misfortune, because he had impiously despised the predictions and ordered the augury-birds to be thrown into the water, as they would not eat. He was requested to appoint a dictator ; for after the curiae had lost their privileges, the right of the consul to proclaim a dictator had gradually become

<sup>10</sup> In some MSS. he is called a *grandson*, which is contrary to the Fasti indeed, but seems more in accordance with chronology, as there are 58 years intervening between the consulships of the two men.

<sup>11</sup> Vol. iii. p. 607.

<sup>12</sup> Compare vol. iii. p. 605, foll.

a right to appoint him.<sup>13</sup> He insultingly appointed M. Claudius Glycia, the son of a freedman. The Fasti mention only the name of his father, but not that of his grandfather, and he was consequently yet a *libertinus*. Claudius was tried for high treason, and appears to have been sent into exile, where he died soon after. According to Polybius, and an expression of Cicero, he was sentenced to pay a heavy fine; according to others the comitia broke up in consequence of a thunderstorm, and the matter was dropped, which seems to suggest the influence of a powerful party. After his death, his sister, a vestal virgin, while riding in a procession through the crowds in the Circus, loudly expressed her regret that her brother was no longer alive, since, by causing the defeat of another fleet, he might have sent a great many more of the rabble out of the world.<sup>14</sup> She, too, was accused and condemned in a heavy penalty as guilty of high treason against the people. The dictator Glycia was, of course, compelled by the senate and people to lay down his dignity. The conduct of Claudius is in keeping with the many crimes committed by his race, which we can trace from the middle of the fourth century down to the emperor Tiberius: a criminal character was almost hereditary with them.

Another disaster yet awaited the Romans. They still remained undaunted, and sent a convoy of eight hundred ships<sup>15</sup> with provisions to relieve the wants of the army at Lilybaeum. It was no doubt escorted by a considerable fleet, under the command of the consul C. Junius; but the men of war were unable to protect the transports. The consul again sailed through the straits of Messina to Syracuse, took in a cargo there (for

it was chiefly at Syracuse that provisions were obtained), and sent a part of the convoy under escort to Lilybaeum, intending himself to follow afterwards with the remainder. This was very imprudent; for the accompanying ships of war were not sufficient against the powerful fleet of the Carthaginians, which frightened the Roman detachment so much that it took shelter in the rocky roadstead between Agrigentum and Camarina. The Carthaginian admiral Carthalo did not venture to attack them there, but still succeeded in destroying many of the transports. Had the Romans received speedy support, the affair might yet have turned out well. But Junius delayed his departure, and when he sailed from Syracuse and heard that the Carthaginians were between him and the other convoy, he too sought shelter in bad roadsteads near Camarina. There now arose one of those frightful storms, which in Italy are always south winds. Carthalo, adroit and active, doubled cape Pachynus towards the north, where he found protection against the wind. The whole of the Roman fleet, the ships of war as well as the transports, were thrown on the rocks and coast with such vehemence, that, as Polybius<sup>16</sup> says, not a plank was saved which could be used again. Two ships only remained out of the whole fleet. A large number of men also perished; but the consul with the survivors withdrew by land to Lilybaeum, where he found an opportunity to do at least something: he took Eryx by surprise; the town itself was situated on the declivity of the mountain, and the temple of Venus on the top of it formed the acropolis. He made himself master of the town by bribery. This was the only advantage which the Romans gained in the course of that year.

The Romans were now unable to compete with the Carthaginians at sea; fortune seemed to be against them, and they renounced the sea entirely, but still kept up a few ships.

<sup>13</sup> Compare vol. i. p. 566, foll.

<sup>14</sup> Suetonius, *Tiberius*, c. 2; Livy, *Epitome* xix. (This is another proof that the sailors were taken from the *capite censi*.—N.).

<sup>15</sup> This fact is worth remembering, as it refutes the false notion, that the commerce of the ancient world was of no great importance; it shows that navigation in the Mediterranean was carried on upon a very large scale.—N.

<sup>16</sup> i. 54.

The war was hopeless for them; and it required a Roman perseverance to preserve them from utter despair.

Carthage was now the sole mistress of the sea. It seems to have been shortly before this time, that the Carthaginians made the attempt to contract a loan of more than two thousand talents with Ptolemy Philadelphus. But the king of Egypt refused to comply with their request, as he wished to remain neutral.<sup>17</sup> Carthage had to raise extraordinary contributions; the continuation of the war drained her last resources, and exhausted her strength as it did that of Rome.

At this time the great Hamilcar Barcas appeared on the scene of action. It is not certain whether he belonged to any of the great families at Carthage.<sup>18</sup> In my opinion it may almost be said that he was a greater man than even his son Hannibal. There is no parallel case in history of a father and his son being so eminently great in their art as Hamilcar and Hannibal. To be a good general is an art; it requires genius, and the talent for it must be born with a man, just as in the case of a poet or an artist; the mechanical part alone can be learnt. Had Hamilcar been in a position to influence the senate of Carthage at an earlier period, the war would have terminated unfortunately for Rome. He began his operations with a boldness which surpasses everything of its kind. In the neighbourhood of Palermo there is a mountain, Monte Pellegrino, with the convent of Santa Rosalia; in ancient times it bore the name of Hercte (the *Εἰρκή*), the name seems to indicate that a state prison existed there), and near it was a small harbour just sufficient to form a landing place.<sup>19</sup> Here

Hamilcar, who had just returned from an expedition against Bruttium, appeared unexpectedly with a squadron, took possession of the mountain either by surprise or by treachery, established himself, and made excursions in which he ravaged the Italian coast as far as Cumae, perhaps with the intention of stirring up the Roman allies to revolt. On this mountain, Hamilcar maintained himself as in a fortress for three years (504—508), during which he often suffered from extreme want of provisions, but continually making excursions both by land and sea, and endeavouring to wear out the Romans. His appearance there drew the Romans away from Lilybaeum. Skirmishes took place every day from mere exasperation. In the third year, he found an opportunity of entering into an understanding with the inhabitants of Eryx, and of making himself master of the town. He left Hercte, and with a detachment of his troops occupied Eryx, where he blockaded the Romans who were still in possession of the acropolis; he was encamped between the arx and the foot of the mountain, where the town was situated. His object was to keep the Romans engaged, to turn them away from Lilybaeum and Drepana, and to tire them out. This he effected very completely; and therefore remained four years in his position, during which the Romans were unable to make any progress. This struggle shows what perseverance can do; even Polybius, himself a practised soldier, expresses the highest admiration of it. The communication with the sea was much more difficult here than even on mount Hercte, and the corps which he commanded consisted of profligate mercenaries, hundreds of whom would have been ready for money to deliver up their own parents into the hands of the enemy; but he inspired these faithless savages with such a degree of admiration, that they did not venture to make the attempt. He carried on the war in the most simple manner; Polybius justly remarks<sup>20</sup> that it is impossible to relate

<sup>17</sup> Appian, *De Reb. Sicul.*, vol. i. p. 92, ed. Schweigh.

<sup>18</sup> The surname Barcas seems to be of the same meaning as Barak in the Old Testament, and we may safely recognize in it the Semetic word *barak*, i. e. lightning; the Syriac form is *barca*; it may also signify *blessing*, but the other interpretation is more suitable. The Romans, in like manner, called the Scipios the *fulmina belli*, and the Turks called their great sultan, *Bayazid*, lightning.—N.

<sup>16</sup> Compare vol. iii. p. 610.

the history of these years, on account of the uniformity of the occurrences, and hence we know little about them. But the engagements which took place in this small space were, nevertheless, often very bloody, and although the troops of Hamilcar were occasionally beaten, the Romans gained nothing decisive, and never made any progress beyond the momentary advantage. The newly discovered fragments of Diodorus<sup>21</sup> contain an anecdote about Hamilcar which is beautiful, and shews his character in the clearest light. In the year preceding the close of the war, C. Fundanius, an obscure general, marched out against him; the troops of Hamilcar were defeated through the fault of Vodostor, a commander of the infantry, and many were slain. Hamilcar sent to the Roman General and asked for a truce, that he might be able to bury the dead.<sup>22</sup> The consul

sent him back the answer, that he ought rather to be concerned about the living, and capitulate. Hamilcar either did not receive the bodies at all, or only with this insulting reply. A short time afterwards another engagement took place, in which the Romans suffered great losses. Heralds were now sent by the Romans or their allies to effect the delivery of the dead, and Hamilcar granted their request by saying that he would always be willing to allow them to take back the dead after a battle, for he made war against the living only. This answer was either the simple expression of his own feelings, or was intended to put the Romans to the blush. This and similar anecdotes were probably derived from Philinus, who is said to have always represented the Carthaginians in a more favourable light than the Romans.

<sup>21</sup> Lib. xxiv. 2 and 3, p. 60, ed. Dindorf.

<sup>22</sup> This *pietas* towards the dead was gene-

rally observed in the wars of the ancients, but more especially by the Greeks; the Romans were not much concerned about the dead.—N.

## LECTURE LXIX.

THE peculiar nature of the war in Sicily gradually convinced the Romans that it could not possibly be brought to a close without extraordinary exertions. It was therefore decreed, for the third time, to build a fleet; but the state was no longer able to raise the necessary sums by a property-tax (consisting of one or more per thousand), which must have pressed very hard upon the people. The state may, in the meantime, have sold large portions of the *ager publicus*; the allies, too, had no doubt contributed much to the earlier fleets. A special loan was therefore contracted with wealthy individuals for building and equipping a fleet of two hundred ships of war,<sup>1</sup> on condition that the money should be

returned if the undertaking turned out favourably. This condition implied, of course, that the advanced sums were not to be returned if the undertaking failed.<sup>2</sup> The loans which the ancient states contracted were usually different from those of modern times; but those which were contracted during the Hannibalian war<sup>3</sup> approached nearer to our system.<sup>4</sup>

The ships were less awkward than before, for at Lilybaeum the Romans had taken an excellent galley, which they now used as a model for their two

<sup>2</sup> Polybius, i. 59.

<sup>3</sup> Livy, xxvi. 36; xxix. 16.

<sup>4</sup> Down to the 17th century all loans were repaid as soon as it could be done, in order to avoid the continued payment of interest. In many cases, however, it was impossible to follow this system, and in Holland, Spain, and at Nürnberg, there still exist bonds which were signed in the 15th century.—N.

<sup>1</sup> According to Orosius, Aurelius Victor, and Eutopius, it consisted of 300 ships.



hundred quinqueremes.<sup>5</sup> They also provided themselves with better sailors, whom they selected from all the maritime towns of Italy; and the best soldiers of the legions were used as marines. Boarding-bridges were no longer used, for the Romans were now resolved to let the issue depend upon an open sea-fight. To the Carthaginians this news was quite unexpected, for they had entirely neglected their fleet from want of money; and as their patriotism was not so strong as that of the Romans, no extraordinary exertions could be expected. They hastily manned and repaired all their old ships to convey provisions and reinforcements to Lilybaeum, Drepana, and Eryx, where the want of both was very much felt. Their fleet, loaded with corn, arrived at the Aegatian islands, whence they intended to sail across to the coast. In order that a great number of transports might not be necessary, the provisions were conveyed in ships of war. Their marines were not of the best kind, and the whole expedition had been got up in too great a hurry. The Roman fleet, commanded by the consul C. Lutatius Catulus and the praetor Q. Valerius Falto, was cruising along the coast, and the Carthaginians intended to land their provisions, in order to take on board Hamilcar and the best of his soldiers as marines, and then to venture on an open sea-fight against the Romans. The latter saw that everything would be lost if the Carthaginians were allowed to carry out their plan, and determined on attacking them before they had accomplished their object.<sup>6</sup> The Romans had only the advantage of lighter ships and of better troops; the wind was favourable to the Carthaginians, while the Romans had to work hard with their oars, which was a great disadvantage in the naval engagements of the ancients, since a vessel sailing against the wind presented a larger front to the

assailant. Hanno, the Carthaginian admiral, endeavoured, with a favourable wind and full sails,<sup>7</sup> to cross over from the island of Hiera to Lilybaeum. He thus fell on the Romans with double force, and had decided advantages over them, so that the latter thought it hazardous to accept the battle. But they were bold nevertheless: the Carthaginians could hardly move their vessels, and both the cargo of the ships and the bad condition of the Carthaginian soldiers rendered it easy for the Romans to gain a complete victory. Seventy Carthaginian ships were taken, many others were sunk, and the rest dispersed.<sup>8</sup>

The Carthaginians, unable to introduce provisions into the distressed fortresses, or to equip a second fleet, began to negotiate for peace. According to the account of Polybius,<sup>9</sup> which seems to be probable, Hamilcar Barca was chosen to conduct the negotiations. It was soon agreed that Sicily should be evacuated and surrendered to the Romans, that Carthage should pay a contribution of 2200 talents, restore all Roman prisoners and deserters, without ransom, and pay a ransom for the Carthaginian prisoners.<sup>10</sup> The Romans had also demanded, that Hamilcar should lay down his arms and return home as a prisoner of war; but he had rejected this humiliating condition, and declared that he would rather die sword in hand than return home in such a state.<sup>11</sup> It was agreed, that the peace should not be valid until the Roman people had given their sanction to it. When its terms were laid before the people at Rome, the contributions were raised by one thousand talents, and it was further demanded that the Carthaginians should give up all the smaller islands between Sicily and Carthage.

<sup>7</sup> Galleys often used no sails at all or small ones; but when the wind was favourable, large sails were hoisted.—N.

<sup>8</sup> Polybius, i. 61. Compare Diodorus, *Fragm.* lib. xxiv. *Eclog.* 3, p. 509; Oros. iv. 10; Eutrop. ii. 16.

<sup>9</sup> i. 62. Compare Valerius Max. vi. 6. 2.

<sup>5</sup> Polybius, i. 59.  
<sup>6</sup> Corn is a dangerous cargo, and vessels laden with it are easily upset, if it is not laden in sacks. There are many instances of ships with corn having been upset.—N.

<sup>10</sup> Polybius, i. 62; iii. 27. Compare Appian, *De Reb. Sicul.* p. 94, ed. Schweigh.; Eutrop. ii. 16.

<sup>11</sup> Cornel. Nepos, *Hamilc.* 1.

This circumstance alone is sufficient to shew that the Liparian islands were still in the possession of the Carthaginians. These terms were necessary to establish a lasting peace.

Thus ended the first Punic war, which had lasted for twenty-four years, and which made the Romans masters of Sicily indeed, but had changed that island into a wilderness; the whole of the western part in particular was laid waste; and from that time Sicily, in fact, has never recovered, though civilisation existed, and the Greek arts continued to be cultivated. The devastation was completed in the second Punic war. During the servile war the island was a complete wilderness; and however bad the condition of Sicily is at the present time—the modern Sicilians are, next to the Portuguese, in the lowest stage of civilisation among the nations of Europe—yet it was still more desolate and deserted in the time of Verres. Under the Roman emperors it did not recover; hence, we do not find in the Itineraries that the high roads passed through towns, but through large estates, for the towns had perished. Sicily remained thus parcelled out into large properties down to the time of Gregory the Great, when we again become acquainted with its condition through the letters of that pope. The present population, notwithstanding its wretched government, is almost double what it then was. In the time of Verres, the population was less than one million. It is as if the soil had lost all its life and fertility; the small kingdom of Syracuse alone formed an exception, in consequence of the great wisdom with which Hiero governed it.

After this peace, Sicily was constituted a Roman province. This was a new system, and Sicily was the first country to which it was applied. A province, in the Roman sense of the word, was a country in which a Roman general (either during the time of his *magistratus curulis*, or in case of his year of office having elapsed, during the time for which his *imperium* was prolonged) exercised over his soldiers, as well as over the inhabitants of the

country, the same power as in times of war, by virtue of the *lex de imperio*.<sup>12</sup> It is a wrong notion, that the inhabitants of a province were not the owners of the soil: that they unquestionably were, though not according to the Roman, but according to the provincial law.<sup>13</sup> The owners retained the use of it on the payment of a land-tax. This happened also when a province revolted and was re-conquered, whereby it came to pass that in some provinces almost all the land fell into the hands of the Roman republic, and in others none at all. This was not understood by later writers, such as Theophilus, and even Gaius. Within the boundaries of a province there were *civitates liberae*, *civitates foederatae*, and subjects.<sup>14</sup> The allied states were treated like the Italian allies: some had property, and paid taxes, sometimes in proportion to their produce, and sometimes in fixed sums of money. The property of those who had lost it during the war was, of course, disposed of by the Romans in what manner they pleased. The dominions of Hiero, who retained his title of king, the state of the Mamertines and Tauromenium, Segesta, Centoripa, and other towns in the interior, remained entirely free. Thenceforward, there were usually one praetor, and one quaestor in Sicily.

The first Punic war was injurious to the Romans, because it impoverished the people; and it therefore had a demoralising influence also, for such wounds do not always heal when peace is restored. During such a war, provision agents, contractors and scoundrels get rich, while honest citizens become poor. Hence, this war was one of the first causes of the degeneracy of the Roman people. Many things must have been altered in the course of the war, of which we have scarcely any information. All we know about the changes made in the Roman constitution during the last fifty years, is little more than nothing, and I think myself very fortunate in

<sup>12</sup> Compare vol. iii. p. 620.

<sup>13</sup> Vol. iii. p. 618.

<sup>14</sup> Vol. iii. p. 616.

having discovered some isolated small points. One of them is, that in the year 506 a second praetor was appointed to administer the law for the *peregrini*, as we learn from a passage in Lydus, "*De Magistratibus*."<sup>15</sup> This was a great change, for thenceforth a *peregrinus* was a real *persona* at Rome, whereas formerly he had been obliged to choose a *patronus*, by whom he was represented. We must recognise in this measure an important diminution of the spirit of faction. Suetonius relates that a Claudius, who undoubtedly lived about the beginning of the first Punic war, resolved to rule Italy through the clients, which is one of the proofs that the clientela was, in some respects, a dangerous thing; and that it was salutary to break up that connexion. But the praetor was not confined to administering justice, for Q. Valerius also commanded the fleet, and at a later time we find another praetor in Etruria; nor do we find in Livy a praetor for the peregrini every year. The expression *praetor peregrinus* is barbarous; Livy, in his fourth decad, always paraphrases the title.<sup>16</sup>

Another great change which took place during the war has, from an accidental circumstance, not been fully recognised, and I almost think that I am the first that has drawn attention to it. Dionysius,<sup>17</sup> who calls the first Punic war *Φοινικὸς πόλεμος*, says, that down to its commencement the Roman commonwealth paid every year the sum of 50,000 minas to defray the expenses of the public festivals and games. This payment then ceased, but the festivals were not discontinued: from this time forward, wealthy individuals were obliged to cover the expenses of the great festivals, which is an imitation of the Greek system of liturgies, and we find it expressly

stated, that the expenses were defrayed by the aediles. This was an important change, for as the aedileship was an introduction to the higher offices, this practice could not but produce the most serious consequences. I wonder that Polybius did not see its importance; for while he blames the Carthaginians for selling the highest state-offices, he says nothing about the Romans, who had in reality adopted the same practice; for if an aedile did not gain great popularity by the splendour of his games, he could scarcely hope to obtain any of the higher offices afterwards.

A short time before the beginning of the first Punic war, a change had been made, which affected the character of the senate. Originally there had been two quaestors, but their number was doubled; and from the year 485 it was increased to eight.<sup>18</sup> The quaestors were the *seminarium senatus*; he who had been quaestor had the right *sententiam dicendi in senatu*, and the censors were obliged to make him a senator as soon as a vacancy occurred, unless any thing was brought forward against him. The senate had, at first, been the representative of the gentes and curiae. After the plebeians had become eligible, it was left to the discretion of the censors to choose persons to fill the vacancies which occurred in it, and the Roman senate was, perhaps, at no time more beneficial to the state than during that period. But this now ceased. If it were possible to devise any means, by which the election of really great and good men could be secured, it would undoubtedly be better than to leave the elections in the hands of the *vulgus imperitum*; but that power of the censors was a dangerous anomaly, as the example of Appius Claudius had shewn. Thenceforth the senate was an assembly elected for life directly by the people. Eight quaestors were appointed every year; after the lapse of thirty years 240 persons had been quaestors, and a great number of men were thus made senators by popular election. The

<sup>15</sup> i. 38, 45. Compare vol. iii. p. 619, foll.; Livy, *Epit.* lib. xix.

<sup>16</sup> This must be understood as follows; previously to the fourth decad, the office is not mentioned at all in Livy; but thenceforward, and in the fifth decad, it occurs more frequently. Respecting the paraphrase, see Sigonius on Livy, xxxiii. 21, 9.

<sup>17</sup> vii. p. 475, ed. Sylburg.

<sup>18</sup> Compare vol. iii. p. 551.

censors, however, continued to have the power of expelling an unworthy individual. At a later period, when the number of quaestors was still greater, and when the tribunes of the people also became senators by virtue of their office, the senate was altogether an assembly whose members were elected by the people.

It was of course not without great difficulty that, after the peace with Carthage, the Romans recovered from their exhaustion; for although they had not seen the enemy in their own country, immense treasures had been lost, and not less than seven hundred ships of war.<sup>19</sup> We know very little of their plans and measures after the restoration of peace; but soon after that event, they had to carry on a war against the Faliscans, which, however, was brought to a close within six days.<sup>20</sup> It is an almost unaccountable phenomenon, that during the long period of the Punic war, Italy, with the exception of some isolated movements in Samnium, remained tranquil; and that after its termination, an insignificant people like the Faliscans could venture to rise against the victorious giant. It may be, that a truce between them and the Romans had expired just at that time; and that as the Romans may have been unwilling to renew or fulfil its conditions, those unfortunate men were induced by senseless individuals to resist the demands of the Romans by force. Their town was destroyed, as a warning example to the Italians.

Carthage was still worse off than Rome; she was in equal distress, and being the conquered party had to pay every year a part of the heavy tribute, and the Romans were by no means lenient creditors. The Carthaginians, moreover, were obliged to pay their mercenaries who came from Sicily; but they had no money, and their state was badly governed. Hamilcar, the greatest man of his time, was opposed by a whole faction; his friends also were called a faction, which, however,

means nothing else but persons from all ranks, or the best part of the nation, who joined the great man whom the majority endeavoured to decry. Thus the powerful assistance which Providence gave to the Carthaginians, in the persons of Hamilcar and Hannibal, led to nothing but misery. Had they followed the advice of Hamilcar, had they not spared their wealthy citizens, and had they made but one more great effort, they might have paid off their mercenaries and formed a new army. Instead of this, they foolishly tried to negotiate with those barbarians, and for this purpose assembled the whole army. The consequence was that it broke out in open rebellion. A fearful war arose, which for Africa became a national war, the Libyans throwing themselves into the arms of the troops even with enthusiasm, and the women offering their gold and jewels to defray the expenditure of the war. The rebels were also encouraged and supported by the Italian deserters, who feared lest they should be delivered up to the Romans. One of these deserters was Spendius, a Campanian, who had been a slave among the Romans, and now made himself very conspicuous.<sup>21</sup> Carthage was brought to the brink of destruction; and not only Libya, but ancient Phœnician colonies, such as Hippo, Clupea, and Utica also revolted. The cruel manner in which the war was carried on, shews the character of those Ligurian, Iberian, Gallic, and Libyan mercenaries: they were not real savages, but they acted like savages.<sup>22</sup> The Carthaginians had often not an inch of territory beyond their walls and fortifications. The war lasted for three years and four months.<sup>23</sup> At length, under the command of the great Hamilcar, and through the horrors committed by the rebellious monsters themselves, the Carthaginians succeeded in suppressing the insurrection and destroying the

<sup>19</sup> Polybius, i. 69, foll.; Diodor. *Fragm.* lib. xxv. *Excerpt. De Virt. et Vit.* p. 567.

<sup>22</sup> Similar instances occur in the Thirty Years' War.—N.

<sup>23</sup> Polybius, i. 88. Compare Diodorus, l. c. and Livy, xxi. 2.

<sup>19</sup> Polybius, i. 63.

<sup>20</sup> Polybius, i. 65; Livy, *Epit.* lib. xix.



rebels. The Carthaginians had declared the revolted towns in Africa in a state of blockade; and here we find one of the instances in which the Romans shewed themselves just even towards their own rivals, for they recognised the right of blockade, exchanged their prisoners with the Carthaginians, forbade all commerce with the rebels, and protected the provisions, which were conveyed to Carthage.<sup>24</sup> The Italian merchants did not always observe the commands of Rome, but sailed whither they were drawn by the prospect of gain. Hence the Carthaginians had the right to seize all vessels bound for a harbour of the rebels, to confiscate their cargoes, and to keep the crews as prisoners. The Romans even allowed the Carthaginians to levy troops in Italy, and made an exchange of the prisoners who were still in their hands from the late war. In the same spirit they refused the offer of the Uticans, who proposed to surrender their town into the hands of the Romans. These acts of justice make it the more surprising that shortly afterwards the Romans committed such glaring injustice towards Carthage.

During this war in Africa, the mercenaries in Sardinia, the maritime towns of which were entirely Punic down to the time of Cicero,<sup>25</sup> had likewise revolted, and had massacred the Carthaginian colonists in the island. Polybius<sup>26</sup> thinks that, at first, they murdered only the Carthaginian officers. The native Sards rose against the mercenaries, expelled them from the island, but at the same time refused obedience to Carthage. After the conclusion of the war against the rebels in Africa, when the Carthaginians made preparations to reconquer Sardinia, the Romans protected the Sards and took possession of the island, threatening the Carthaginians with a fresh war, if they would not give up their claims to Sardinia and Corsica,

as those islands had placed themselves under the protection of Rome. The Carthaginians were too much exhausted to make any resistance; and Hamilcar, who, like all intelligent men, gave up what could not be retained, without indulging in sentimental melancholy, advised his countrymen to yield till better times should come. The Carthaginians determined, for the present, not to wage war, but swore that they would take vengeance, and accordingly concluded a peace, by which they gave up Corsica and Sardinia, and paid an additional contribution of 1200 talents. This is one of the most detestable acts of injustice in the history of Rome.<sup>27</sup>

Subsequently to the Peloponnesian war an empire had arisen in Illyricum, where formerly there had been only independent tribes. After the time of Philip of Macedonia especially, a greater state had been created out of smaller ones, the origin of which cannot be traced with accuracy; nor is it certain whether it was founded by Bardylis, who is known to have formed a kingdom in those districts during the reign of Philip.<sup>28</sup> Not even the capital of this Illyrian state can be distinctly ascertained; all we can say is, that it must have been situated somewhere in the neighbourhood of Ragusa. The worst Illyrian pirates must have been those who inhabited the northern part of Dalmatia. The maritime power of the Rhodians was still of considerable importance; but about the year 520 the Illyrians, like the modern Albanese, became formidable in those seas and ravaged the defenceless coasts in a dreadful manner, especially the unfortunate Cyclades; they carried off all grown up persons, and destroyed all commerce. Perhaps none but the Macedonians and Rhodians were able to resist them, though they may not have disliked to see other nations annoyed by piracy, as is sometimes the case with modern maritime powers. But the Illyrians, unfortunately for themselves,

<sup>24</sup> Polybius, i. 83. Here we see the first traces of maritime law and of the claims of neutrality, which have caused so many disputes in modern history.—N.

<sup>25</sup> See vol. i. p. 170.

<sup>26</sup> Polybius, i. 79 and 88.

<sup>27</sup> Polybius, i. 88; Zonaras, viii. 18.

<sup>28</sup> Diodorus, xvi. 4; Cicero, *De Off.* ii. 11; Photius, *Biblioth.* p. 539, ed. Bekker; Libanius, *Orat.* xxviii. p. 632.

also ventured to disturb the commerce of the allies of the Romans, and their boldness increased, when in the reign of their king, Agron, their prizes became greater and greater, and when they found themselves very successful on the coasts of Epirus and Aearnania. Ambassadors were sent by the Romans to demand reparation; but Teuta, the queen of the Illyrians—for Agron had died in the meantime, and his son Pinnes was under the guardianship of his mother Teuta—answered that piracy was the national custom of her subjects, who took what they could find; that she herself and her state had not wronged the Romans, and that she could not forbid her subjects that which was their right and their privilege. One of the ambassadors, probably a son of the great Tiberius Coruncanius, having replied that it was the custom of the Romans to abolish bad customs, Teuta, enraged at such boldness, despatched assassins who murdered the ambassadors.<sup>29</sup> Previously to this time the Romans had never entertained the thought of crossing over to the eastern coast of the Adriatic; but they now sent an army and a fleet, which landed on the Dalmatian coast. The Illyrians, who were now beginning to extend their dominion, were just besieging Corcyra, which before the Peloponnesian war had been a paradise, with a fleet of some hundreds of galleys. The island, which is now almost a wilderness, was obliged to surrender before the Romans arrived. They landed at Dyrrhachium and delivered this town as well as Apollonia and Epidamnus. The neighbouring tribes also surrendered, and the governor of Corcyra, Demetrius Pharius, a traitor, who was probably bribed, gave the island up to the Romans. Issa also was delivered, and the Romans advanced through Upper Albania, along the Dalmatian coast. They met with no great resistance, all the towns surrendering except one fortified place, so that the queen was obliged to make peace. The Illyrians renounced the sovereignty of a

part of the Dalmatian islands and of Upper Albania, pledging themselves not to sail further south than the Drin, a river issuing from the Lake of Scutari, with more than two unarmed vessels. The Romans thus became the real benefactors of the Greeks.<sup>30</sup> What became of the people between Epirus and Scutari cannot be stated with certainty; but they probably remained, like Apollonia and Epidamnus, in a certain state of dependence on Rome, though neither a garrison nor a praetor was kept there: they probably paid only a moderate tribute. Being the benefactors of the Greeks, and drawn to them by the irresistible charm which many nations felt when praised by the Greeks, the Romans sent an embassy to Greece to announce the terms of the peace with the Illyrians. The Aetolians and Achaians were then allied against Demetrius of Macedonia, a circumstance which gave to the unhappy country a short breathing time; and the Romans for political reasons sent this embassy to both confederacies. Another embassy to Athens had no other object than to obtain the praise of the Greeks; it was an act of homage paid to the spiritual power of that city, for the poor Athenians were in a state of extreme weakness; but the remembrance of their forefathers was still alive, and gave a value to the honours conferred by Athens.<sup>31</sup> As Corcyra,

<sup>30</sup> Polybius, ii. 12.

<sup>31</sup> The following affecting occurrence is related by Suidas.—When Antigonos Gonatas had conquered Athens, which had bravely resisted during the long war, and had been compelled to surrender by famine, the aged poet Philemon was still living in Piræus, whither he had perhaps removed after the fall of the city. Although extremely old, he was still very vigorous, and not forsaken by his muse. His last comedy was finished, except the final scene; and he was lying on his couch half dreaming, when on a sudden he saw nine virgins before him in the room, and on the point of walking out. When he asked them who they were, and why they were going away, they answered that he undoubtedly knew them. They were the Muses, and turning round, they left him. Philemon then rose, finished his comedy, and died. Greek literature perished with the loss of Piræus: the spirit literally withdrew from Greece.—N.

<sup>29</sup> Polybius, ii. 8; Appian, *De Reb. Illyr.* 7.

Apollonia, and Epidamnus were Corinthian colonies, we see at once why a separate embassy was sent to Corinth, although it belonged to the Achæan league. The Corinthians rewarded the Romans by bestowing upon them the right to take part in the Isthmian games,<sup>32</sup> and the Athenians gave them the rights of isopolity and access to the Eleusinian mysteries.<sup>33</sup>

Even before this time, either during the Punic war, or shortly after it, the Romans had interfered in the affairs of Greece. The Acarnanians were at war with the Aetolians; for the latter, and Alexander of Epirus, had divided Acarnania between themselves. The Acarnanians recovered their independence, defended it against the Aetolians, and applied to Rome on the ground

that their ancestors had not fought against Troy, in proof of which they appealed to the catalogue of ships in the Iliad; and Patron, who conducted the ships of Aeneas, they said, had been an Acarnanian. The Romans also adduced these circumstances as the reasons for protecting them; but their embassy was treated by the Aetolians with insult and contempt, and produced no effect.<sup>34</sup> Justin relates this from Trogius Pompeius, with a certain feeling of pleasure, for Trogius was not a native Roman, but belonged to a Ligurian or Gallic tribe.<sup>35</sup> Now, however, in the year U.C. 524, the Romans were more successful, and obtained the before-mentioned distinctions.

<sup>34</sup> Justin, xxviii. 1 and 2.

<sup>35</sup> According to Justin, xliii. *in fin.*, Trogius Pompeius was a Vocontian, from the south-east of Gaul. Comp. Niebuhr, *Vorträge über alte Gesch.* i. p. 9.

<sup>32</sup> Polybius, ii. 12.

<sup>33</sup> Zonaras, viii. 9.

## LECTURE LXX.

As the contemplation of nature shews an inherent intelligence, which may also be conceived as coherent with nature, so does history on a hundred occasions shew an intelligence distinct from nature, which conducts and determines those things which seem to us to be accidental. It is not true that the study of history weakens the belief in a divine providence: on the contrary, history is of all kinds of knowledge the one which most decidedly leads to that belief. Circumstances, which are called accidental, combine in such a wonderful way with others to produce certain results, that men evidently cannot do what they please.<sup>1</sup> For example, the Gauls alone would have been sufficient to crush the Romans; and had they invaded Italy during the first Punic war, the Romans

would have been utterly unable to make their efforts against Sicily. Again, had Alexander, the son of Pyrrhus, tried to avenge the misfortunes of his father in Italy,—had he formed Italian connexions at the time when Regulus was defeated, the Romans would not have been able to offer any resistance. But Alexander's eyes were directed towards petty conquests; the Gauls were quiet, and the Carthaginians had no good generals, except at the close of the war: in short, it was providential that all things combined to make the Romans victorious. They themselves seem to have been prepared for some attack from the east; for ever since the time of Pyrrhus they kept a strong garrison at Tarentum, to prevent any undertakings from that quarter.

During this period the Romans extended their relations with foreign powers far and wide. Previously to the Punic war, they had formed friendly connexions with Ptolemy Phil-

<sup>1</sup> Herodotus often says, ἴθις γὰρ αὐτὸν ἀπολείθαι; and we may equally often say, ἴθις γὰρ αὐτὸν σώζεισθαι.—N.

adelpus,<sup>2</sup> and they now did the same with Seleucus Callinicus of Syria.

After the Gauls had lost the Romagna, they had fallen into a kind of torpor. During the last fifty years they had been perfectly quiet in their Cisalpine districts, either because there were no immigrations into their territory, or because they themselves were satisfied in the belief that the Romans had forgotten them. After the extermination of the Senones, their beautiful country, Romagna and Urbino, had passed into the hands of the Romans as a wilderness.<sup>3</sup> This country afforded room for a great many Roman settlers according to the right conferred by the agrarian law. After the first Punic war, about the year 522, the tribune C. Flaminius, by a decree of the people, caused this *ager Gallicus et Picenus* to be divided.<sup>4</sup> The *ager* of the Senones comprised a part of Romagna, Urbino, and of the territory of Ancona, where the colony of Ariminum had already been established. Polybius most strangely calls this bill of Flaminius an attempt at revolution, a proof that even an intelligent man may err in matters of detail, especially when he follows others without reflecting for himself. Flaminius carried this decree in spite of the vehement opposition of the senate (for we can now no longer speak of patricians), and as none of the other tribunes opposed him, the rulers induced his aged father to ascend the rostra and lead his son away.<sup>5</sup>

<sup>2</sup> Vol. iii. p. 548.

<sup>3</sup> Vol. iii. p. 428 foll.

<sup>4</sup> Cicero, *Brutus*, c. 14, *Academ.* ii. 5; Polybius, ii. 21.

<sup>5</sup> This opposition by his own father shews the great change which had taken place. The father was, like his son, a plebeian at the time; but this need not surprise us, since, according to the Licinian Law, the plebeians had the *jus occupandorum agrorum*, as well as the patricians, and both classes had enriched themselves by it. This law of C. Flaminius is the first instance of a mere plebiscitum, without the consent of the senate, becoming binding as a *lex*, in accordance with the Hortensian law; and the expression of Polybius, ἀρχηγός τῆς ἐπὶ τὸ χεῖρον διαστροφῆς τῆς Ῥωμαίων πολιτείας, must probably be understood with reference to this fact.—N. Compare vol. iii. p. 418, foll.; Cicero, *De Inventione*, ii. 17.

This distribution of Gallic territory and the settlement of a great number of Romans on the frontiers, we are told, disturbed the Boians who inhabited the country about Modena, Parma, and Bologna, as far as the Romagna. It may be asked whether it was prudent at that time to establish strong settlements in those districts, as the Romans dreaded a war with the neighbouring Gauls. To this we must answer, that the war could not be avoided; the Gauls could not continue to dwell quietly in Lombardy, and it was a matter of little consequence whether the war broke out a little sooner or later. It is certain that the new settlements made the Gauls uneasy; fifty years before, they had been almost extirpated, but the population was now nearly restored. They feared lest the powerful Romans who had lost their large estates in Romagna, should seek new ones in their territory; but the Romans did not yet think of a war with them. Their eyes were directed towards Spain, and they had no hopes of being able to expel the Gauls from Lombardy. It is said that at this time the Romans were carrying on war with the Ligurians; we should however be greatly mistaken, if we were to imagine that they had already penetrated into Liguria Proper, or the territory of Genoa; the Ligurians here meant are those who had spread in the Apennines as far as Casentino and Arezzo, after the power of the Etruscans and of the Gauls on the lake Vadimo had been broken. The war against these Ligurians was difficult, for they defended every separate hill, and every little tribe resisted until it was almost annihilated.

The Gauls in Northern Italy were the Boians and Insubrians; the former lived south of the Po in Romagna, the latter in the neighbourhood of Milan, and in the plain of Bergamo and Brescia. These two towns themselves, however, were not Gallic, but probably belonged to the Raetian or Etruscan race. The Cenomani dwelt between the Insubrians and Veneti, between Milan and Mantua, and had placed themselves under the protection



of the Romans. Ever since their first conflict with the Romans, the Gauls had been longing for an opportunity to take vengeance upon them; and now when the Romans settled on their frontiers, they began negotiations with the Transalpine Gauls, among whom great movements were going on at this time. Several years, however, passed away without anything further being done. The negotiations with the Transalpine Gauls caused great apprehensions among the Romans, and at length, eight years after the Flaminian law, an innumerable host of Gauls invaded Italy, and the war broke out in the year 527.<sup>6</sup> The swarms which now descended into Italy from the north, were like those of the Cimbrians in after times. Among these hordes of barbarians we also find Tauriscans, who otherwise occur only in Carinthia; whether at that time they occupied a part of Helvetia, is uncertain. This war is memorable on account of the extraordinary preparations of the Romans, who made a general levy throughout Italy. The Italian allies obeyed this time also, and even more readily than ever; for they anticipated with horror an invasion like the one which had taken place about 150 years before. The Romans sent one army by the ordinary road to Ariminum, under the consul L. Aemilius, and stationed another in Etruria, under the command of a praetor. The consul, C. Atilius, was still in Sardinia with his army and fleet, as the Sards refused obedience to Rome. A corps of reserve was stationed in the neighbourhood of Rome. All the Italian allies capable of bearing arms were kept ready to march. A list of them is given by Polybius,<sup>7</sup> but it shews that he himself was not quite clear about the matter. The numbers are unfortunately not exact, and Schweighaeuser's computation is quite wrong, for he speaks of the legions as if they had not been contained in the census. But this is the only instance in which I can say that Polybius used materials

without being perfectly clear about them. I believe that Fabius spoke thoughtlessly, when he said that the Roman forces consisted of about 800,000 foot and 80,000 horse, numbers of which we can make no use, and from which we can draw no conclusions; but least of all can we, as was done in the dispute between Hume and Wallace, deduce from them any inference as to the amount of the population of Italy; for although Hume is the more sensible of the two, still he treats the matter too lightly. The list in Polybius is perhaps not complete; but I cannot think that he could have made a mistake in his calculations without being aware of it, for he is always very exact in his numbers. I have said this much upon the point, because the census of that time is so often referred to. If we had the original lists we might see where the fault lies: but as things are, we can only say that there is something wrong.

The Romans looked forward to the breaking out of this war with far greater apprehensions than they afterwards did to that of Hannibal: such is human foresight! The Apennines north of Tuscany were then quite impassable, and there were only two roads by which Italy could be invaded, the one leading by Faesulae, and the other through the territory of Lucca, in the neighbourhood of Pisa, where the whole valley was then one extensive marsh. The Gauls must have taken one of these roads, and probably the latter. Hannibal's march through those marshes has become celebrated, but history is silent about the passage of the Gauls through the same district. The Gauls, unconcerned about the Consul near Ariminum, thus marched into Etruria, with an army of 50,000 men, and the swarm advanced irresistibly as far as Clusium, a distance of only three days' journey from Rome.<sup>8</sup> The Roman army was probably stationed in the neighbourhood of Florence, to prevent the Gauls from marching towards Rome; and thus we

<sup>6</sup> Polybius, ii 22, foll.

<sup>7</sup> ii. 24.

<sup>8</sup> Polybius, ii. 25.

can understand how it did not hear of the arrival of the Gauls at Clusium till late. The Romans now broke up, if not to cut the enemy off from the road to Rome, at least to pursue them. When the Gauls perceived that an army was closely following their traces, they turned back. They marched from Clusium through the territory of Siena towards the sea, and we there find them in the neighbourhood of Piombino, on the coast opposite to Elba. Polybius says that the Romans met the Gauls near a place called Faesula (*Φαῖσολα*). The commentators on that passage are wrong. Fiesole cannot possibly have been the place; for how could the Gauls have afterwards marched thence along the sea coast?<sup>9</sup> It must have been a place between the sea and Chiusi, perhaps on the frontier of the Papal dominions near Aqua Pendente.<sup>10</sup> The Gauls had left their cavalry behind and lay in ambush at some distance; the infantry was to entice the Romans after it, to retreat slowly, and thus to draw them to the spot where the Gauls wished to meet them. The Romans, imagining that the enemy were taking to flight, and that the cavalry was only protecting their rear, followed, and fell in with their whole army in full battle array. The Romans suffered a great defeat, and a part of them withdrew to a hill in the Apennines, on which they were besieged by the Gauls. The consul, L. Aemilius, who had been stationed near Ariminum, fortunately hastened across the Apennines to their assistance; but as he arrived after the defeat, he found the Roman army blockaded by the Gauls. However he rescued them from their precarious position, and the Gauls marched away along the sea coast; for as they had already collected an immense booty, and did not wish to begin a new contest with an *agmen impeditum*, they resolved first to secure their plunder in a safe place, and then to return for battle. Such a resolution can be taken only by barba-

rians. They marched slowly along the sea coast, ravaging everything.<sup>11</sup> The Consular army followed them, but had not the courage to attack them; and they would have returned home through the territory of Pisa without interruption had not the army of C. Atilius fortunately just returned from Sardinia and landed near Pisa, whither it had been driven by contrary winds, and where the Gauls arrived at that very time. C. Atilius had intended to join the other armies, but when he heard of the invasion of the Gauls, he left his baggage at Pisa, and began to march towards Rome along the coast; of the defeat of the Romans he knew nothing. Near a place called Telamon his light troops fell in with the Gauls; some of them who were taken prisoners, revealed their whole situation, and told the consul that the main army of the Gauls was approaching, followed by the consul Aemilius. The latter, in the meantime, had heard of the movements of Atilius, but did not suspect that he was so near. As the battle of Telamon took place in the neighbourhood of Populonia, this is another proof that *Φαῖσολα* cannot possibly be Faesulae near Florence. The Gauls were now in a fearful situation: they first abandoned their baggage, and then tried to occupy a hill near the road-side, whither Atilius had sent his cavalry, and where the battle commenced. The Gauls placed one front against Atilius and the other against Aemilius. Atilius fell, and his head was carried to the chief of the Gauls; but his troops avenged his death, and the cavalry took possession of the hill. The troops facing Aemilius fought naked like true savages; the other Gauls were likewise without breastplates, but had small shields and large Celtic cloaks.<sup>12</sup> The Gaesatae mentioned

<sup>11</sup> Many persons have been inclined to believe that the ancients, whose intellectual powers were surely not inferior to ours, carried on their wars at random. Here we have an instance of such a warfare; but the Gauls were barbarians, and the Romans never acted in such a way.—N.

<sup>12</sup> Polybius, ii. 27—31.

<sup>9</sup> Polybius, ii. 26.

<sup>10</sup> Montepulciano, in the lectures of 1826.

among the Gauls were not mercenaries, as Polybius interprets their name,<sup>13</sup> but men armed with javelins.<sup>14</sup> All the Gaesatae faced Aemilius, and were met by the light troops, who were also armed with missiles. They took to flight after a fierce struggle. The other Gauls united on both sides in enormous masses, but the day resulted in the death of 40,000 and the capture of 10,000 Gauls, so that scarcely any escaped. The danger was thus averted by a most fortunate circumstance; but the war was not concluded till the fourth year.

In the second year of the war the Romans crossed the Apennines, and the Boians submitted to them. During the last two years, 529 and 530, the war was carried on in the country of the Insubrians, that is, in the territory of Milan. The Insubrians, who were supported by the Transalpine Gauls, defended themselves very bravely, which, considering the open nature of their country, reflects much honour upon them. The Romans were obliged to retreat towards the confluence of the Adda and the Po. A portion of the Cisalpine Gauls, the Cenomanians, between the river Adda and the lake of Garda, the Venetians, whose capital was Patavium, and the Euganeans, were allied with the Romans and remained faithful to their interest. The Venetians, who excelled even the Cenomanians in fidelity to the Romans, were a civilized people occupying the country between the rivers Adige and Plavis; they were perfectly foreign to the Tuscans, and probably belonged to the Liburno-Pelasgian race.<sup>15</sup> The Insubrians afterwards sued for peace, but in vain; the Romans did not trust them, and wished to annihilate them. In the year 529, C. Flaminius gained a great victory over them to the north of the Po. It

is unjust towards him to assert that he conducted the war badly, and I shall say more about him hereafter, for it is the duty of an historian to rescue from the contempt of posterity those to whose names blame is attached undeservedly. The war was decided in the fourth year by the great general M. Claudius Marcellus, who slew Viridomarus, the leader of the Gauls.<sup>16</sup> The victory was gained at Clastidium, in the district between Alessandria and Piacenza. The Insubrians, who were almost annihilated, recognized the supremacy of the Romans, who now became masters of Milan and the whole plain of Lombardy. Here they founded the two colonies of Placentia and Cremona on the banks of the Po; and I am inclined to believe that Modena, though it is not mentioned till a later period, having been lost for a time in a fresh insurrection of the Boians, was likewise fortified by the Romans immediately after this war, in order to secure the possession of their new acquisitions.<sup>17</sup> The frontier was pushed forward as far as the Ticinus. The Ligurian tribes in Piedmont were, in point of

<sup>16</sup> The Capitoline Fasti state, that Marcellus triumphed, *de Gallis Insubribus et Germanis*. The corner of the stone which contains the syllable *er*, was broken off at one time; but whether, when the stone was restored, the syllable *er* was put in at random, or whether it was so on the original stone, I can neither assert nor deny. I have often seen the stone; but although a friend of mine wished me particularly to ascertain the truth, I was never able to convince myself whether the corner containing the syllable is part of the original stone or not. It is evident that the name cannot have been *Cenomanis*, since they were allied with the Romans, and the *g* is quite distinct. *Gonomanis* does not occur among the Romans. If the author of these Fasti actually wrote *Germanis*, the inscription would be the most ancient document in which the name of our nation is mentioned. The thing is not at all impossible. At the time of J. Caesar, it is true, the Germans did not live further south than the river Maine or the Neckar; in earlier times they extended much farther south, but were driven back by the Gauls. The Germans in the Wallis, of whom Livy (xxi. 38, comp. vol. ii. p. 525) speaks, were the remnants of an earlier German population which had been expelled by the Gauls.—N.

<sup>17</sup> This may be inferred from Polybius, -iii. 40, and Livy, xxi. 25.

<sup>13</sup> ii. 22.

<sup>14</sup> From *gaesum* (a javelin), which word is used by Virgil in his beautiful description of the Gauls, in contradistinction from those armed with swords. The Gaesatae were Allobroges, for they came from the Rhone.—N.

<sup>15</sup> Compare vol. i. p. 166, foll.

law, still independent, though not in point of fact.

In the first Illyrian war, the Romans owed their rapid success to a Greek, Demetrius Pharius, who being governor of Corcyra had probably been bribed to surrender the island to them, and had through their influence been appointed guardian of the young king of the Illyrians. His character was quite in accordance with the despicable age of Greece, and treacherous towards every one. He now conspired against the Romans, and during the Gallic war induced the Illyrians to revolt, which proves that those people paid tribute to the Romans. He moreover indulged in piracy, with a fleet of fifty lembi, against the Cyclades. The Romans sent over a consular army under L. Aemilius Paulus. The hopes of the rebels were speedily destroyed, and their chief place, Dimalus,<sup>18</sup> was taken. The residence of Demetrius was in his native island Pharos, which the Romans took by a stratagem; but he himself escaped to Macedonia, where the last Philip had just ascended the throne, and Demetrius became his evil genius. The second Illyrian war was thus quickly brought to a close. The Romans at this time extended their dominion in other parts also. We are not informed when the Veneti lost their independence, but in the great Gallic war they were allies of Rome. The Istrians were subdued even before the time of the Hannibalian war, so that even the Veneti must have been conquered at an earlier period, and probably at the time I am now speaking of.

While these things were taking place, events were ripening in secret, the greatness and fearfulness of which the Romans were unable to conceive. During the interval that had elapsed since the first Punic war, Hamilcar Barca had displayed the qualities which commonly distinguish a great man. The differences of character are never

seen more distinctly than in times when men are surrounded by difficulties and misfortunes. There are some who, when disappointed by the failure of an undertaking from which they expected great things, make up their minds at once to exert themselves no longer against what they call fate, as if thereby they could avenge themselves upon fate; others grow desponding and hopeless; but a third class of men will rouse themselves just at such moments, and say to themselves, "The more difficult it is to attain my ends, the more honourable it will be;" and this is a maxim which every one should impress upon himself as a law. Some of those who are guided by it prosecute their plans with obstinacy, and so perish; others, who are more practical men, if they do not succeed in one way, will try another. There are, it is true, persons who succeed in nothing; but the old proverb *audaces fortuna adjuvat* holds good nevertheless. Of this Hamilcar is an example. Carthage had for centuries been wasting her best energies in Sicily. I believe that there were fellows at Carthage, such as Hanno,<sup>19</sup> who partly from envy of Hamilcar, and partly from their own stupidity, would or could not see that, after the loss of Sicily and Sardinia, there were yet other quarters from which the republic might derive great benefits. When, after the American war, it was thought that the ignominious peace of Paris had put an end to the greatness of England, Pitt undertook with double courage the restoration of his country, and displayed his extraordinary powers. It was in the same spirit that Hamilcar acted: he turned his eyes to Spain. The Phœnicians had formed settlements in that country at an early period. Gades is said to have been older than Carthage, and the former place was certainly very important as an entrepôt for the commerce with the Cassiterides.<sup>20</sup> With

<sup>19</sup> The early part of the second Punic war in Livy is disfigured by Hanno's speeches.

—N.

<sup>20</sup> Tin was of the highest value to the ancients, for the purpose of smelting copper, of which they had great quantities; the use

<sup>18</sup> This name shews that the modern Albanese language is like the ancient Illyrian, for *dimal* in Albanese signifies "a double hill."—N.



the exception of Gades, there were probably no settlements, either Phœnician or Carthaginian, on the western coast of Spain; but there were several on the southern coast, in Granada, Malaga, Abdera; and there had arisen the Bastulians, a mixed people, called *Μισθοποιῖκες*. Into the interior the Carthaginians had not yet penetrated, although they seem to have had connexions with it; and Hamilcar now showed his great tact and sagacity, for he formed the plan of making Spain a province, which should compensate for the loss of Sicily and Sardinia. The latter island was then, and is still very unhealthy, and its interior was almost inaccessible. Sicily had an effeminate and unwarlike population, and rich as it was, it might indeed have increased the maritime power of Carthage, but it would not have given her any additional military strength. The weakness of Carthage consisted in her having no armies; and it was a grand conception of Hamilcar's, to transform Spain into a Carthaginian country from which national armies might be obtained. His object therefore was, on the one hand, to subdue the Spaniards, and on the other to win their sympathy, and to change them into a Punic nation under the dominion of Carthage.<sup>21</sup> The conduct of the Romans towards their subjects was haughty, and always made them feel that they were despised. The highly refined Greeks, who were themselves wont to look down with contempt upon all foreigners, must have felt that haughtiness very keenly. The Spaniards and Celts were of course still less respected. Common soldiers in the Roman armies not unfrequently, especially in the times of the emperors, married native women of the countries in which they were stationed. Such marriages were regarded as concubinage, and from them there sprang a class of men who were very dangerous to the Romans. The Carthaginians

acted more wisely, by making no restrictions in regard to such marriages. Hannibal himself married a Spanish woman of Castulo,<sup>22</sup> and the practice must have been very common among the Carthaginians. This was an excellent way to gain the good will of the natives. The whole of the southern coast of Spain had resources of no ordinary kind: it furnished all the productions of Sicily and Sardinia, and in addition to them it had very rich silver mines, the working of which has been revived in our own days. Hamilcar was the first who introduced there a regular and systematic mode of mining, and this led him, or his son-in-law, to build the town of New Carthage (Carthagera). While the Carthaginians thus gained the sympathy of the nation, they acquired a population of millions which relieved them from the necessity of hiring faithless mercenaries, as they had been obliged to do in the first Punic war: they were enabled to raise armies in Spain, just as if it had been in their own country. The Romans no doubt observed these proceedings with feelings of jealousy, but could not prevent them, as long as the Cisalpine Gauls stood on their frontiers, ready to avenge the defeats of the Senones and Boians.

All Spain was inhabited by a multitude of small tribes which were without any connexion among themselves, whereas in Gaul, some tribe or another, the Aedui or Arverni, had the supremacy. The Spaniards were people of very different kinds. Whether the Turditani and the northern Cantabri belonged to different races, as the ancients say, or whether all the Iberians belonged to one race, as the great Humboldt maintains, cannot be decided. I must abstain from expressing an opinion, because I do not know the language; but I think that notwithstanding the great authority of Humboldt, the statements of the ancients ought not to be neglected. This much is certain, that the people south of Sierra Morena, the inhabitants

of calamine in making brass is a much later invention.—N.

<sup>21</sup> Polybius, ii. 1; Diodorus, *Fragm.* lib. xxv. eclog. 2, p. 510.

<sup>22</sup> Livy, xxiv. 41. Compare Diodorus, *Fragm.* lib. xxv. eclog. 2, p. 510, foll.

of Baetica, had a character quite different from that of the northern tribes : they had a high degree of civilisation, a literature, written laws and books ; and there are inscriptions and coins, on which we still possess some remnants of their very peculiar alphabet, which was not derived from that of the Phœnicians. But these people were just as warlike as those in the north, though they were less able to attack an enemy than to defend themselves. It was only at the beginning that they succeeded in driving the Celts across the Pyrenees as far as Aquitania ; for afterwards we always find them confined to their own boundaries, within which they defended themselves with desperate courage, so that the saying of an Arab general about them is quite true : " Behind walls they were more than men, but in the field more cowardly than women." The latest wars, too, have proved this. The Celtiberians however formed an exception, and the others also behaved bravely when they were commanded

by able generals, such as Hannibal and Sertorius ; so also in the 15th and 16th centuries. Otherwise they confined their efforts to desperately defending themselves, and that even behind bad fortifications. They sometimes put to death their wives and children, and fought as long as a drop of blood was left in their bodies, rather than surrender.

Hamilcar had come to Spain as soon as he had subdued the rebellious mercenaries. There he remained eight years, which time he employed with incomparable wisdom, in establishing the Carthaginian empire. When he died, he left the command to Hasdrubal, his son-in-law. Here we see a characteristic difference between the Romans and Carthaginians : the general of the latter not only holds his office for life, but leaves it to his son-in-law, like an inheritance. It is true that this required great influence at Carthage, and is what Livy calls *Barcina factio*.

## LECTURE LXXI.

LIVY opens his narrative of the second Punic war with the remark which others had made before him, that it was the greatest and most memorable that had ever been carried on by the greatest states, and at the periods of their greatest freshness and vigour : he could say so with justice ; but after the lapse of more than 2000 years we cannot think the same, for in the wars of the French revolution far greater energies were called into action ; even the seven-years' war, especially the campaign of 1757, has a greater accumulation of events, and as for the greatness of the generals engaged in it, it is by no means inferior to the second Punic war. In the first Punic war, there appears only one great general ; in the second we have, besides Hannibal, Scipio, Fabius, Marcellus, and many second-rate ones. We may,

however, truly say, that in all ancient history there is no war which equals that against Hannibal in the greatness of the events. We may also on the whole assert, that there never was a general superior to Hannibal, and in antiquity there is not one whom we could even place by his side ; before him all the other Carthaginian generals shrink into insignificance. Against him there stood Scipio, who, although he perhaps did not quite equal Hannibal, yet must be considered as a general of the first order ; Fabius and Marcellus, who might have acquired great fame in other wars, are eclipsed by him. I do not hesitate to adopt the opinion of Hannibal himself, when he places himself above Scipio.<sup>1</sup>

The second Punic war was described

<sup>1</sup> Livy, xxx. 30.

separately by several writers. The first, but more especially the second war against Carthage, was the real subject of the annals of Fabius and Cincius. The latter prefixed to his history of it a brief sketch of the early history of Rome, and described the war very minutely, as far as he himself had witnessed it. I have no hesitation in saying, that the account which Appian gives of this war is mainly based upon that of Fabius. Dionysius of Halicarnassus failed him at the beginning of the first Punic war. I can prove satisfactorily, that some characteristic points in the narrative of Appian and Zonaras are derived from Fabius, for Dion Cassius also knew that he could not have a better guide than Fabius. The Hannibalian war was also described separately by two Greeks, Chaereas and Sosilus, both of whom are spoken of by Polybius with contempt;<sup>2</sup> he regards them as untrustworthy, although Sosilus, if we may trust the account,<sup>3</sup> had lived in the camp of Hannibal. When Livy wrote the history of this war, he did not think of using the memoirs written by Hannibal, or the Greek letter which Scipio had addressed to Philip of Macedonia. Polybius<sup>4</sup> made use of a document of Hannibal, engraved on a brass tablet in the temple of Juno Lacinia,<sup>5</sup> in which the numbers were stated with particular accuracy. As far as we possess his work, we cannot wish for anything further or better: his third book is a master-piece, which satisfies the mind of the reader in all respects. Unfortunately we possess his account only for the first years of the war. He undoubtedly had before him the excellent work of L. Cincius, who described the war as an eye-witness. In the Latin language there was only one separate history of the second Punic war, by L. Coelius Antipater,

who, to judge from his name, must have been a Greek, and was either a freedman, or enfranchised and adopted into the gens Coelia. He wrote in the seventh century with declamatory pretensions, and many points in Livy's account are, I believe derived from him, especially those parts in which he falls into the romantic; for it had been the object of Antipater to write an elegant history, and Cicero was probably not wrong in speaking of him with contempt. The work of Dr. Ulr. Becker, of Ratzeburg,<sup>6</sup> on this war is good, although it is not founded on matured studies. It contains some strange prejudices, and neglects many points which one would like to see explained. It is a valuable work nevertheless, which should not be overlooked; and the name of its author will not be forgotten. In the narrative of Livy we can distinguish the different sources from which he derived his information. The account of the first period of the war, and especially the rhetorical description of the siege of Saguntum, are unquestionably derived from Coelius Antipater; and if his history of the remaining period of the war were not based on better authorities, the whole of his third decad would be worth nothing. But in some parts Livy follows Polybius very carefully; in other parts of this decad, as for instance at the end of a year, when he gives a brief summary of the events which occurred during the year, he followed the pontifical annals, or some annalist. He evidently wrote this decad with great pleasure, and some portions of it are among the most beautiful things that have ever been written. The points in which he is deficient are, a knowledge of facts, experience, an intimate acquaintance with the affairs of real life—he does not step beyond the

<sup>2</sup> iii. 20.

<sup>3</sup> Cornel. Nepos, *Hannib.* 13, where also one Silenus is mentioned, who had lived in the camp of Hannibal, and written a history of the war.

<sup>4</sup> iii. 34 and 56.

<sup>5</sup> Should be in Lacinium, Polybius, iii. 33, 56.

<sup>6</sup> The book here alluded to bears the title *Vorarbeiten zu einer Geschichte des zweiten Punischen Krieges*, Altona, 1822. A supplementary work by the same author, is entitled "*Ueber Livius xxx. 25 und 29: oder Entwicklung der Begebenheiten, welche zwischen Hannibals Rückkehr nach Africa und der Schlacht bei Zama liegen.*"

walls of the school—and a control over his subject. He worked with great ease, and repeated what others had said before him without toiling and moiling. Wherever he differs from Polybius, he deserves no credit at all; and however beautifully his history of this war is written, still it is evident that he could not form a vivid conception of anything. His description of the battle of Cannae, for instance, is untrue and impossible, whereas that of Polybius is so excellent, that it enables the reader to see the locality and to draw a map of it; and the better the locality is known, the clearer his description becomes. The work of General Vaudoncourt, “*Campagnes d’Annibal*,” which was published a few years ago at Milan, and which was praised so much because the author is so able a man, is a thoroughly wretched production; the maps are good for nothing, and the plans are quite arbitrary. The author was unable to read his authorities critically, knew no Greek, and has given no new information. There is only one point in ancient tactics on which I have learned anything from him. He is especially mistaken respecting the order of battle of the Carthaginians, which he considers to have been that of the phalanx; this it was not; their troops were just as moveable as those of the Romans, and the sword alone decided with them; they probably had no lances at all, but great quantities of javelins.

If I were to relate the history of this war according to my own inclination, the time which is set apart for these lectures would be much too short. I must therefore confine myself to brief sketches and outlines; but abridged narratives require a perfect consistency in all their parts, a thing which a person can attain only by writing them down with great care. Lord Chesterfield very appropriately said on a similar occasion, “I beg your pardon for my prolixity, but I have no time.” All abridgments require time. The greater part of my labours consists in condensing what I have written; but in these lectures I cannot give such an

abridgment with the necessary consistency; and if the limits of an abridgment are overstepped here and there in a subject which has been dear to my heart for the last forty years, I trust no one will find fault with me.

When Hasdrubal had had the administration of Spain for nearly nine years, he was assassinated by an Iberian, whose chief he had ordered to be put to death. This personal attachment to their chiefs was a peculiar feature among the Iberians; no one allowed his master to be killed unavenged, and, if possible, no one survived him. Hannibal, the son of Hamilcar Barca, was living in the camp of Hasdrubal to finish his military education, and became the favourite of the army. Nothing in history is so well known as the vow of Hannibal, which I believe to be historical. Hannibal himself is said to have mentioned it in aftertimes;<sup>7</sup> and what reason have we for doubting it? The fact that the circumstances under which it was made are stated differently, is no ground for disbelieving it; according to some, it was the condition on which Hamilcar took his son to Spain: according to others, it was made at the moment he took leave of his father. I also believe that when Hamilcar went to Spain in 516 or 517, Hannibal was not more than nine years old, and consequently must have been born in 507 or 508, previously to the time when Hamilcar went to Sicily, so that he began his expedition to Italy in his twenty-seventh year. Against such an age nothing can be said: it is just the age at which a general may best display all his great qualities. Frederick the Great was not more than twenty-eight years old when he undertook the conquest of Silesia; and Napoleon was twenty-seven or twenty-eight years old when he made his first Italian campaign. Remarks like these may be laughed at when they are mistaken for proofs; but I know what proofs are, and what I mean to say

<sup>7</sup> Polybius, iii. 11; Corn. Nepos, *Hannib.* 2. Compare Val. Maximus, ix. 3. Ext. 3; Appian, *De Rep. Hispan.* 9, p. 110.



here is simply this: that at such an age he *could* act the great part which history ascribes to him. His whole conduct in this war is that of a very young man; and at the time of his death he was not much more than fifty years old. He had two brothers, Hasdrubal and Mago. Whether Hasdrubal was older than Hannibal is unknown, but Mago was very young when Hannibal went to Italy.

Opinions as to the personal character of Hannibal were naturally divided among the ancients: in Latin authors he appears everywhere as a formidable being. The description in Livy of his character as a general is in parts very beautiful; but when Livy adds that his virtues were counterbalanced by as many vices, he contradicts Polybius,<sup>8</sup> who expressly denies the charge of cruelty, and asserts that, wherever any cruel or faithless action is mentioned, it must be attributed to Hannibal's subordinate officers in the Carthaginian army; and especially to another Hannibal, surnamed Monomachus,<sup>9</sup> whose name gave rise to false reports about the great Hannibal. The name Hannibal was as common at Carthage as many of our Christian names are among us. There are statements respecting his cruelty, especially in Appian, who derived them from Fabius, but Polybius knows nothing of them. I do not mean to say that he committed no act of cruelty; but what he did was no more than the common practice among the Romans themselves, with whom, as with the ancients in general, the destruction of the enemy was the principal object of war. Sometimes cruelty is one of the necessities of war.<sup>10</sup> In modern times warfare has assumed a more humane character; and really destructive wars, such as we find in the history of Spain, are among the exceptions. Of Han-

nibal's alleged *perfidia plus quam Punica*<sup>11</sup> not a single instance is known, and Polybius absolutely denies it. We may confidently assert, that in capitulations he always kept his engagements; for if he had not, the charge would have been brought against him, and no one would have made any capitulation with him. The Romans are terrible liars when they blame an enemy: stories like those of the murder of the senate of Nuceria, and the massacre of that of Aceriae,<sup>12</sup> are not established by any good authority. His greatness, however, was not less striking in peace than in war; and in this respect the difference between him and Scipio is very remarkable. In times of peace Scipio was a useless citizen; nay, the dangerous example which he set in defying his lawful accusers<sup>13</sup> may have led the Romans to despise the laws of their country; and who knows whether his example was not actually a slow poison! I like Scipio for many reasons, and he was really great in not making a selfish use of the popular enthusiasm for him; but there is, on the whole, something exceedingly haughty in his character; he was conscious of his own greatness. He shewed his haughty pride from the moment he began to take part in public affairs, until he became a candidate for the consulship; afterwards he set himself altogether above the laws of his country. This feature in his character is visible throughout his life: he wanted to be superior to the laws, and submission to their sovereign power was quite foreign to him. We do not hear that he was the author of any institution or law to benefit his country, although he might have bestowed great blessings upon it by his influence; and Rome was surely in need of blessings. This neglect after the Punic wars was one of the main causes of the decline of the Roman constitution and morals. Hannibal, on the other hand, shewed his genius

<sup>8</sup> ix. 22.

<sup>9</sup> Polybius, ix. 24.

<sup>10</sup> Thus it was a case of necessity, when in the crusades Bohemund, for the purpose of keeping off the Turks, ordered the corpses to be roasted and shown to the ambassadors.—N. Comp. Wilken, *Geschichte d. Kreuzzüge*, i. p. 187.

<sup>11</sup> Livy, xxi. 4.

<sup>12</sup> Zonaras, ix. 2 (from Dion Cassius); Appian, *Pun.* 63.

<sup>13</sup> Livy, xxxviii. 55, foll.; A. Gellius, iv. 18, foll.; Val. Maximus, iii. 7, 1.

in everything ; and in times of peace, after the second Punic war, he was the benefactor and reformer of his country by wise laws and institutions. He and Scipio were both men of highly cultivated minds, and were intimately acquainted with Greek literature. — Hannibal's companions were Greeks, with whom he conversed in his leisure hours, and although they were not men of the first order, still the fact shews that his amusements were of an intellectual kind.<sup>14</sup> Among many other advantages in his relations with others, he possessed irresistible personal attractions, which he seems to have inherited from his father, who subdued savages, and then managed and guided them without any difficulty. For a period of sixteen years he commanded an army, in which, like that of Gustavus Adolphus, there was at last not one of the old soldiers left, but which consisted only of a crowd of reckless adventurers. He was placed in difficult circumstances ; but although individual Gauls and Celts, or some of the frivolous and unprincipled Numidians, were now and then faithless, or deserted and betrayed him, yet not one ever raised his hand against him.<sup>15</sup> He was obliged to sacrifice his soldiers to his objects ; he could not spare the Italians, and made enormous demands upon them : but none of them ever attempted any thing against him. He was like a being of a higher order, who governed all men, and dazzled them by his lustre. A man who settled the administration of Spain, crossed the Alps, shook the power of the Romans, and reduced them to extreme weakness—such a man I call the greatest among his contemporaries ; yea, I may call him the greatest of all ages. How small, in comparison with his, are the achievements of Alexander the Great, who had no difficulties to overcome ! Scipio came forward against Hanni-

bal under the most favourable circumstances, and he could not but conquer, unless Hannibal had been a being of supernatural powers. Hannibal's perseverance and faithfulness towards his country cannot be sufficiently praised ; his transactions with other states had only one object—to serve his own country. Wherever he was he commanded ; he did not seek protection even when he was in exile, and he bowed before no one ; he never violated truth, nor did any thing which was opposed to the dignity of his character. This man I honour, esteem, and love, almost unconditionally ; although I do not wish to deny that things are related of him which fill our eyes with tears. But when he was at Capua, and allowed Decius Magius to depart uninjured, he did not follow the dictates of policy, but those of his own generous heart. Few Romans could boast of such magnanimity ; and at that time Scipio was, perhaps, the only one among them who was capable of it.

The third hero of this war is Q. Fabius Maximus, a man who has been very much overrated. Great circumspection and self-control are indeed qualities which we cannot help recognising in him ; and he was a very good general, but not a better one than many others. He had already acquired reputation in the preceding and more obscure wars, but the surname Maximus was an inheritance from his grand or great grandfather, Q. Fabius Rullianus, who lived at the time of the Samnite wars, and received that surname for having separated the four city tribes from the rustic ones. He acted in the way that he thought useful, and did not hesitate to do that which brought upon him the charge of cowardice. Ennius says of him : *unus homo nobis cunctando restituit rem*. As a general he was calm, cautious, and circumspect, but the only important feat of his is the recovery of Tarentum ; and what was that, after all ? The fact of his holding out after the battle of Trasimenus was no more than the republic had a right to expect of him. I am inclined to compare him with

<sup>14</sup> Cicero (*De Orat.* ii. 18) in relating the anecdote of the rhetorician who preached to Hannibal about the virtues of a general, says that Hannibal did not speak Greek very well (*non optime Graece*).—N.

<sup>15</sup> Polybius, xxiv. 9.

field-marshal Daun, and am convinced that Daun, as a general, was at least not inferior to him. I am very apt to transfer my affection for great ancestors to their descendants; but however much I should like to speak of Q. Fabius Maximus with affection, I cannot. His opposition to Scipio is not a rhetorical exaggeration, but an historical fact. The speeches which Livy puts into the mouth of Hanno are rhetorical flourishes taken from Coelius Antipater, but the character of those of Fabius is historical: it is evident that he was envious, and that he could not bear the star which was rising above him. It must make a man feel wretched, if, when on the threshold of old age, he looks upon the rising generation with uneasiness, and does not rather rejoice in beholding it; and yet this is very common with old men. Fabius would rather have seen Hannibal unconquered, than see his own fame obscured by Scipio. Hence he would not endeavour to destroy Hannibal, but only to wear him out.

Claudius Marcellus, an able and enterprising general, was quite the opposite of Fabius by his great boldness; he was distinguished as a general and a brave warrior.

These are the men who acted the most prominent part in the second Punic war, which, like the first, must be divided into several periods. The first comprises all that took place in Spain, including the conquest of Saguntum, etc., until the year 534, when Hannibal began his march towards the Alps. All the events of this period, however, must be regarded merely as preliminary to the war itself. The second period comprises the next three

years and a part of the fourth, from 534 to 537, during which Hannibal made his irresistible progress, crossed the Alps, and overran Italy. During the third period, from 537 to the taking of Capua in 541, his star began to sink: the Romans recovered their ground, and their hopes of success received new strength, for it was now evident that Hannibal had irreparably lost the object of the war. The fourth period extends from 541 to 545; Hannibal now began to set his hopes on Spain and on the reinforcements which he expected from his brother Hasdrubal. He maintained himself in Apulia, Lucania, and Bruttium, and the Carthaginians raised fresh armies in Spain, until the defeat of Hasdrubal on the Metaurus. The fifth period extends from 545 to 550, when Hannibal, at the command of the Carthaginian senate, left Italy. The sixth and last extends from his arrival in Africa down to the end of the war, and may be termed the African war.

Several other wars run parallel to, or are interwoven with that against Hannibal; thus we have to notice, from 535 to 547, the wars of the Romans in Spain, which were carried on with various success until the taking of New Carthage; from 535 to 540 the Sicilian war and the insurrection of Sardinia form an episode, and were brought to a conclusion by the subjugation of Sardinia and the conquest of Syracuse; and lastly, from 540 to 547, the Macedonian war. Those who wish to form an accurate idea of the second Punic war must keep all these great masses separate from one another, whereby they will get rid of much that is perplexing in the detail.

## LECTURE LXXII.

WHILE Hamilcar was establishing a Carthaginian empire in Spain, the Romans acted the part of mere spectators. On his arrival in that country, the Carthaginians possessed only the coasts of Granada and Murcia; but under his administration, Andalusia and the greater part of Valencia seems to have been added to their dominions. The empire of Carthage did not yet extend beyond the Sierra Morena, but connections with the natives had already been formed, and it may have been under Hasdrubal that greater progress was made in that quarter. When we read that Hannibal was master of all Spain,<sup>1</sup> it is a mistake of the writer, for the Carthaginians never advanced farther than a little north of New Castile and Estremadura. Old Castile and Leon never belonged to them. The northernmost point to which we can, in Polybius, trace the conquests of Hannibal, is Salamanca;<sup>2</sup> and even if we could consider this acquisition as a lasting one, still the Carthaginian empire did not extend over one half of the peninsula. The tribes of the interior and the Celtiberians seem not to have recognised the supremacy of Carthage, and were only her allies, retaining their own peculiar form of government, and merely furnishing mercenaries for the Carthaginian armies; which they did the more willingly as they were of a very warlike disposition. Polybius<sup>3</sup> justly remarks that the Romans were silent at the progress which the Carthaginians were making in Spain, because they were afraid to renew the war against them, while they were threatened themselves in Italy by the Gauls. Had Hamilcar been alive, he would, perhaps, have taken part in that war. Hasdrubal was thus enabled

to train and prepare the new nation, during the great war of the Romans with the Cisalpine Gauls. We are surprised at an account which mentions that during this time a Carthaginian fleet appeared off the coast of Etruria.<sup>4</sup> If that statement is true, it was certainly not a step taken by the government, but probably by Hasdrubal on his own responsibility. During the Cisalpine war the Romans had, strangely enough, concluded a treaty, not with the government of Carthage, but merely with Hasdrubal, the governor of Spain.<sup>5</sup> This seems to shew that Carthage was in a state of anarchy. The treaty, however, had reference to Spain only, where the river Iberus was fixed upon as the boundary between the two empires. It is owing to the loss of the second decad of Livy that we do not know at what time the Romans had gained possession of that part of Spain; for, at the beginning of the second Punic war, we find them in possession of Tarraco, and the inhabitants of the coast of Catalonia were under their protection. Their friendship and alliance with Massilia were very old. Livy adds that it was stipulated in the treaty that Saguntum should be free between the dominions of the two powers; and if this had really been the case, the hostilities of the Carthaginians against that town would certainly have been a violation of the treaty. But Polybius knows nothing of such a clause; and if he, who had authentic documents before him, had found anything about it, he would assuredly have stated that Hannibal had committed a breach of the treaty. However excellent Polybius generally is, yet he sometimes errs in details: he had first published his

<sup>1</sup> Corn. Nepos, *Hannib.* 3.<sup>2</sup> See Polybius, iii. 14.<sup>3</sup> ii. 13.<sup>4</sup> Zonaras, viii. 19.<sup>5</sup> Livy, xxi. 2; Polybius, ii. 31, 22, iii. 27, 29.



work down to the war with Perseus ; the second edition contained the history down to the taking of Corinth, and it can be clearly shown that the first books were not revised in the second edition. It is evident that at the time he was quite unacquainted with the geography of Spain, and he, like Livy, appears to have imagined that Saguntum was situated east of the Iberus. The Romans, no doubt, did not wish to give up the Saguntines, who were their friends, but it had not been stipulated that an attack upon Saguntum should be regarded as a breach of the peace. Hannibal carried on the war in Spain only as a preparation ; for his real object was the war in Italy which he endeavoured to kindle. The Carthaginians stood to him in the same relation as the Romans did to Cæsar : he was stationed, with an army devoted to him, in a country which he himself had subdued, and over which consequently the senate had no control. Carthage, according to the natural career of its constitution, was already in a state of decay, authority having passed from the senate into the hands of the popular assembly ; and although the people may have adored Hannibal, yet the senate cannot have been favourably disposed to him ; nor, although the Romans were generally hated, is it likely that the majority of the Carthaginians expected that their condition would be improved by a war with Rome, or could see how Rome was to be attacked. The nobles, moreover, dreaded Hannibal at the head of a victorious army.

Livy places the siege of Saguntum in the year 534, although he could not but have seen that this was an impossibility, and that it must have taken place the year before, 533.<sup>6</sup> Polybius blames Hannibal for endeavouring to kindle the war by all kinds of intrigues, and he has, on this account, been charged with being too partial to the Romans ; but neither he nor Hannibal is deserving of censure. Polybius thinks that Hannibal ought at

once to have demanded the restoration of Sardinia ; but this Hannibal could not do. Had he been a king, he might perhaps have done it, but as it was, he was obliged gradually to draw the Carthaginians into the war, whether they would or not. He accordingly interfered in the hostilities between the Saguntines and Turdetanians, or, as I should like to read, the Edetanians, for it is hardly to be conceived how the Turdetanians, at so great a distance, could have had any complaints against the Saguntines. The Edetanians, on the other hand, were the inhabitants of Valencia, and must at that time have been under the protection of the Carthaginians.<sup>7</sup> Saguntum was probably not a purely Iberian town ; it is said that colonists from Ardea had settled there, in which case it must have been a Tyrrhenian town ; and this is not improbable, although afterwards the Iberian population perhaps predominated. The statement that the Saguntines were a colony of Zacynthus seems to have arisen solely from the name. Some years before disturbances had arisen at Saguntum ; for several of those Spanish cities were republics, and their inhabitants must not be looked upon as barbarians like the Celts. The Romans on that occasion had interfered as mediators, and the victorious party had taken cruel vengeance upon the conquered. Hannibal availed himself of this circumstance and stirred up the latter, and at the same time he complained at Carthage that the Saguntines, in their reliance upon Rome, had committed acts of violence against Carthaginian subjects. This was certainly a bad intrigue, but he could not act otherwise, as he wished to bring about a war. The Romans had an extraordinary dread of a war with Carthage, for the manner in which that city had recovered must have made a deep impression upon them. They did not know how to conduct the war ; they could transfer it to Africa only by means of a fleet,

<sup>6</sup> See Sigonius on Livy, xxi. 6.

<sup>7</sup> Appian, *De Rebus Hispan.* 10, calls them Tarboletans.

which would have cost an enormous sum, and with which was associated the recollection of so many disasters. Against Spain, too, the war would have had to be carried on by sea, and there they had scarcely any basis for their operations, having only some insignificant allies in Spain, whereas Carthage had at her disposal all her subject-population, and had all her troops ready at hand, while Rome could only fight with her own forces, which she would have had to transport at an immense cost. For these reasons the Romans allowed Hannibal to extend his dominion without venturing upon anything; nay, when he was besieging Saguntum, they only negotiated, and took no measure to send relief, so that Hannibal carried on the siege for eight months, while they were engaged in the Illyrian war. This siege has gained an imperishable celebrity in history from the heroic resistance of the Saguntines. But the minute description of it in Livy is a romance, undoubtedly derived from the account of Coelius Antipater. According to him the town, like several others in Spain, was destroyed by its own inhabitants in despair. The description of Polybius is much more authentic; he only knows that the town, situated one mile from the sea, on one of the last hills which there rise and separate Aragon from Castile, was taken, not destroyed; that Hannibal made extraordinary booty, gained courage and strength for further undertakings,<sup>8</sup> and was enabled to send rich presents to Carthage. This completely refutes the tale of Livy, which, in fact, betrays its character by its minuteness. Hannibal then took up his winter quarters at New Carthage, and completed the preparations for his great expedition. The Romans had sent ambassadors to him to call him to account for his conduct towards Saguntum; but he referred them to Carthage, where they complained and demanded the surrender of Hannibal and the Carthaginian commissioners (*συνεδροι*) who

were with him, a circumstance which throws some light upon the otherwise obscure institutions of Carthage. The ambassadors were received in the senate in a manner which might have been foreseen, after so long an irritation and so ardent a desire to take vengeance for the injustice which Rome had inflicted on Carthage in regard to Sardinia. The Carthaginians, instead of complying with the demand, endeavoured to show that Hannibal had not acted wrongly, and that Carthage could not be restrained by Rome in extending its dominion in Spain. Polybius justly remarks that they disputed about secondary matters without entering into the real question at issue. One of the Roman ambassadors, having made a fold of his toga, requested the Carthaginians to choose either war or peace. The Carthaginians replied that they would follow the choice of the Romans; and when the latter declared for war, their words were received by the Carthaginians with loud acclamations.

It might now have been expected that the Romans would have made serious preparations, but this was not the case; they had at the time only a small fleet, which afterwards, too, was always very limited. Hannibal assembled his troops in the neighbourhood of Carthage, and shewed great foresight in drawing Libyans to Spain, and sending the most distinguished Spaniards to Libya, where they were to serve as garrisons; but, at the same time, he retained great numbers of Spaniards, to accompany him on his expedition. The army with which he crossed the Iberus is said to have consisted of 90,000 foot and 12,000 horse.<sup>9</sup> This event must have happened in the early part of May. P. Cornelius Scipio and Tiberius Sempronius Longus had been consuls since the 15th of March. The tribes east of

<sup>9</sup> Polybius, iii. 35; Livy, xxi. 13. Polybius has taken his numbers from the table of Hannibal, and no doubt intended to give them correctly; but I suspect that this is some mistake in the writing, and that we ought to read 70,000, instead of 90,000.—N.

<sup>8</sup> Polybius, iii. 17.

the Ebro were under the protection of Rome, but without being in the condition of subjects, and were hostile to the Carthaginians: they offered a gallant resistance, but Hannibal advanced very rapidly, and conquered the fortified places with the sacrifice of many lives. He crossed the Pyrenees in the neighbourhood of Figuera and Rofas, in the direction of Roussillon, where the mountains slope down towards the coast of the Mediterranean, and are of no considerable height. He had previously sent envoys to the Gallic tribes to ask for a free passage through their country. These envoys now returned with presents, and the assurance that Hannibal would meet with no resistance in Gaul as far as the Rhone. A part of his forces was left behind in Catalonia, and when he had crossed the Pyrenees, a dangerous mutiny broke out among his soldiers. Three thousand Carpetanians returned home, and that others might not be encouraged to follow their example, Hannibal was wise enough to send back all those in whom he discovered any unwillingness to follow him, since he was convinced that a cheerful and small army is better than a numerous and discontented one. After having allowed his soldiers some rest in the neighbourhood of Perpignan, he continued his march with 50,000 foot and 9000 horse.

When the Romans discovered that it was his plan to cross the Alps, they sent the consul, P. Cornelius Scipio, the father of the great Scipio, with an army of two legions and 10,000 allies to Spain, and a fleet was equipped to sail to Africa, under the command of the other consul, Tiberius Sempronius, who was already dreaming of besieging Carthage; but even before he arrived, things had happened which quite altered the state of affairs. Carthage at this time had no fleet of any importance, which was the first great fault in the management of affairs on the part of the Carthaginians; whereas all that Hannibal did was wise and well calculated. But in the senate of Carthage there were men of a different stamp; and it is not improbable that

a property-tax was found necessary to cover the expenses of the war, and that in paying it the wealthy shewed a niggardly spirit; otherwise the mean parsimony of Carthage is quite unaccountable. The plan of the Romans was, in certain respects, not ill-calculated, but it proves that they underrated their enemy and his strength. Had P. Cornelius Scipio arrived in Spain with his fleet before Hannibal passed the Ebro, Hannibal might possibly have been stopped in his progress; although I am almost convinced that Hannibal would have thrown him back upon the sea, and that thus his expedition would have been facilitated. But the Roman fleet did not sail until Hannibal was master of Catalonia; and it cannot be denied that at the beginning of this, as of every other great war, the Romans were slow and awkward, so that Hannibal was beforehand with them in everything. It is true that they had just before made great exertions against the Cisalpine Gauls, but with the exception of this, they had been engaged only in petty warfare since the conclusion of the first Punic war, and they had no standing armies. Their troops were a sort of militia, without any regular training; whereas the Carthaginian army under Hannibal consisted of veterans. Moreover, the Romans did not think it necessary to place the best of their generals at the head of their armies, but made their choice with their usual views; and the consuls of this year were dull and slow like their soldiers. In the year before they had commenced establishing the colonies of Placentia and Cremona; they now hastily sent out the colonists, and the fortifications were completed before the opening of the campaign, so that neither Hannibal nor the Gauls were able to take those places. Polybius censures the authors of his time for speaking of Hannibal's enterprise as of a thing which had never happened before, and as if he had intended to do something unheard of, and which was impossible without the interference of higher powers. Hannibal certainly did not undertake the expedition

without some precedent. The story that a spirit shewed Hannibal the way is changed by Livy into a dream, which is exquisitely beautiful : but the writers of that time had related this as a real occurrence.

Hannibal continued his march with the utmost rapidity, and, according to the calculation of Polybius,<sup>10</sup> led his Carthaginians a distance of 9,000 stadia. This is indeed rather exaggerated ; but still the distance between Carthage and the river Po is immense, and what difficulties had he to overcome ! When Hannibal arrived in Cisalpine Gaul, envoys of the Gauls implored his assistance against the Romans ; but until then he had had to make his way through a country all peopled by independent and hostile tribes, to whom an army like his must have appeared a curse. In such a host it was impossible to prevent acts of violence, especially if we consider the wants with which they had to struggle, and which impeded their progress everywhere. He passed through the magnificent country of Lower Languedoc to Pont St. Esprit on the Rhone, in order to reach the Alps. The inhabitants of Languedoc could not resist the torrent that poured in upon them, and they sent their women and children into the Cevennes mountains for shelter ; but the Gauls in Dauphiné and Provence had the rapid river before them, and could defend themselves. They perhaps heard at the same time that a Roman army was in Catalonia, or perhaps even on the Gallic coast ; and although the hostile feeling which existed between the Gauls and the Romans was very strong, and the inhabitants of Languedoc had rejected with scorn the request of the Romans, still they now looked upon them as auxiliaries against the starving host of invaders, who in their rapid course were obliged to take all they could. Hannibal had immense difficulties in effecting a passage across the Rhone : as it would have been difficult to make a bridge of boats, he purchased of the people on the banks

of the river as many ships as he could, and ordered canoes to be made of trees ; he then sent during the night a part of his army up the river, where they passed over on rafts, that they might get to the rear of the Gauls. The plan succeeded, and it is inconceivable how the Gauls did not observe it in time. When the detachment had got across, Hannibal threw all his forces into the ships and passed the river, while the Gauls were attacked in their rear. The elephants were transported with great difficulty. This success, in a place where nature herself seemed to have drawn the boundary line, made the deepest impression upon the barbarians. Had Hannibal arrived one week later, Scipio would have prevented his crossing the river.

Scipio, on his voyage to Spain, had landed near Marseilles, and when he heard that Hannibal, whom he imagined to be still on the Ebro, had already arrived on the Rhone, he must have felt the danger of opposing an army so much more numerous than his own. In conjunction with the Gauls of the eastern bank, he might have prevented the enemy from crossing the river ; but it was too late, and Hannibal was already on the left bank before the arrival of a detachment of Roman cavalry which Scipio had sent up the river from Marseilles. Both parties were astonished to meet each other, for Scipio, who had scarcely heard that Hannibal had crossed the Pyrenees, could not expect to find him on the eastern bank of the Rhone. A trifling engagement took place in which the Romans were victorious, but Hannibal, unconcerned about Scipio, now marched farther up the Rhone, and Scipio returned to his ships. At this point begin the most contradictory accounts of Hannibal's march. Had he taken the road described by Livy, through the valley of the Durance up to Briançon, over Mount Genève, so as to descend by Susa in the neighbourhood of Turin, he could not have given the Romans a greater advantage, for Scipio might have attacked his rear ; and the Gauls might have stopped him on the other side from penetrating into

<sup>10</sup> iii. 39.



their mountains by abattises, ambuscades and the like.

It is one of the most disputed points of ancient history, in what part Hannibal crossed the Alps, and the ancients themselves differ widely in their accounts. Livy's description is obscure, and Polybius does not enter into any disquisition concerning the localities, because they were known in his time, and no one had any doubt about them. The ancient writers are divided in their opinions: some maintained that he passed over the Little, and others that he passed over the Great St. Bernard; some even thought it probable that he crossed the Simplon: across mount Cenis there was no road. Modern writers<sup>11</sup> are likewise divided; but after the masterly researches of General Melville, which have been published by De Luc,<sup>12</sup> and are based upon an accurate knowledge of the localities, there can no longer be any doubt as to the road which Hannibal took; and if any one who has a practical mind compares with these researches the account which Polybius gives, he must see that no other road than that over the Little St. Bernard is possible. It is strange that even ingenious and learned men, as Letronne, have, in this instance, remained unconvinced by the most palpable evidence. Melville has conclusively proved that Hannibal marched across the Little St. Bernard, and that he reached the highest points about the beginning of October. The mountain is not a glacier covered with eternal ice: it is only a little higher than the Brenner; not far from its top a little corn is grown, and during the summer months it is a green Alp, serving as pasture; whereas the Great St. Bernard is covered with eternal snow. On his arrival there, Hannibal found fresh snow and a frequented road. But the following circumstance is more decisive still: on one occasion Hannibal had a severe contest with the Alpine tribes;

and Polybius, evidently with the intention of marking Hannibal's road, says that he halted near *a white rock*.<sup>13</sup> Now there is only one gypseous cliff in those Alps, and that is in the valley of the Tarantaise, near the Little St. Bernard, along which the ancient road runs; it is discernible even at the present day, and is known to the inhabitants of the country by the name of *la roche blanche*. De Luc observes that any one who has travelled that road, cannot help recollecting that rock. This circumstance alone would suffice to remove all doubts; but the hypothesis that this was the road is perfectly consistent also with the number of days which Hannibal spent upon his march; which number differs so widely from that required for the road over Susa, that the latter place cannot come into consideration at all. Polybius applies the name of Alps to the whole range of mountains from Savoy to Aosta; they form several chains running one behind the other, and must be crossed.

Hannibal was obliged to march farther up the Rhone. Had Scipio ventured to follow his enemy, Hannibal would certainly have defeated him, and Scipio would have been lost among the Gallic tribes, which would have risen against him. General Melville truly remarks, that Hannibal marched up the Rhone as far as Vienne, the ancient capital of the Allobrogi, a fact which is not mentioned by Livy. Here Hannibal found the people engaged in a civil war, and took up the cause of one of the pretenders. After having established him on the throne, he received supplies for his army and continued his march. The Allobrogi were at that time in possession of the country between the Rhone, Saone, Isère, the western districts of Savoy, and some other neighbouring territories. At Vienne, Hannibal left the Rhone. Melville saw here a Roman road leading to Yenne, which was used throughout the middle ages, and down to the beginning of the seventeenth century. From Vienne Hanni-

<sup>11</sup> A complete list of the modern works on this subject will be found in Ukert's *Geographie der Griechen und Römer*, ii. 2, p. 565, foll.

<sup>12</sup> J. A. de Luc, *Histoire du Passage des Alpes par Hannibal*, Genève, 1818.

bal went to Chambéry, and into the valley of the Tarantaise, and followed the course of the Isère up to its source. General Melville has shewn that the march through this narrow valley must have been a very troublesome one, as it was easy for the inhabitants to defend themselves in their mountains. It is a gross mistake, when some writers describe Hannibal as marching over immense fields of ice; for about the Tarantaise there are luxuriant plantations of nut trees, and in the valley itself a considerable quantity of corn is grown. The arrival of Hannibal and his army was a fearful calamity for the inhabitants of this valley, for the host consumed everything that these poor people possessed. The less Hannibal was able to satisfy their hunger with the supplies he carried with him, the greater was the devastation caused by his army, for in such circumstances soldiers destroy everything. However great, therefore, his exertions were to pacify the mountaineers, yet they manifested a desperate exasperation against him, and the losses of the Carthaginians in these contests were immense. They did not indeed venture upon open resistance, but they made use of a stratagem, which is quite characteristic of those small Alpine tribes: they brought him provisions and even hostages, and then fell upon the Carthaginians while marching through the passes. Hannibal, however, not trusting them—he was in fact never deceived by any one—contrived to send his baggage ahead, followed cautiously, protected his rear very strongly, and thus succeeded in repelling the mountaineers. Melville has shewn that the sequel of the march, though very difficult, was by no means over fields of ice and snow, but that the road passed through a thickly peopled and beautiful country. The road passes between the mountains, through richly cultivated valleys, forests of nut-trees and cornfields; but as the road ascends higher, it becomes extremely narrow and difficult, and is generally fit only for mules, so that at best two can pass each other, on the edge of precipices through which the mountain torrents roll down. It is

only in the present century that a carriage road has been made. Hannibal spent fifteen days on his march through these mountains, but during the greater part of that time he was traversing splendid valleys full of cultivation and wealth, whose inhabitants must be conceived to have been not more barbarous than the Tyrolese of the fifteenth century.<sup>14</sup> About the end of September, Hannibal reached the Little St. Bernard. Snow had already begun to fall in those regions, and frosts and the other miseries of winter were now added to the sufferings with which he had hitherto been struggling. The main difficulty consisted in transporting the provisions necessary to feed from 30,000 to 40,000 men, 8000 horses, and certainly not less than 4000 mules and sumpter horses which carried the bread; for when snow fell, it was impossible to obtain green fodder for the cattle. A large quantity of his baggage had been taken by the mountaineers. Up to the time when he reached the top of the Little St. Bernard, Hannibal had not suffered much from cold, his main difficulties being want of provisions and the hostility of the mountain tribes; but when he arrived at the summit, there were heavy falls of snow which rendered the roads quite impassable. Imagine the distress of Africans! As the snow covered many of the crevices in the rocks, the horses slipped and fell into the abysses; fodder was wanting, and many of the elephants perished with cold. His army suffered not less from hunger than the French did on their retreat from Russia: thousands perished in a few days, but yet Hannibal must have been glad that he had arrived at the summit of the mountain. Those among his soldiers who were rather discontented, and had been lingering behind, now rejoined him. The account of Livy, that Hannibal broke the rocks by means of vinegar, is one of those tales which we grieve to see related seriously by an

<sup>14</sup> Comp. L. Aretino's description of the roads and the inhabitants of Tyrol in the fifteenth century, in his journey to Constance, which quite reminds one of the times of the Romans.

intelligent man. It was undoubtedly derived from Coelius Antipater, and is nothing but a misrepresentation of an actual fact, which has been explained by General Melville. The descent was particularly difficult; the roads in the Alps run along rivers, by which they were originally formed. These rivers often pass from one mountain to another, and then roads run along above the rivers. Such a road is often buried under avalanches, or cut off by a sinking of the ground. Hannibal found such a spot on his march from the Little St. Bernard to the valley of Aosta,<sup>16</sup> where the road had fallen down the year before, and had not yet been restored, as Polybius very plainly relates. He was obliged to encamp there for three days, though suffering severely from hunger, cold, and snow, and to open a new road. General Melville has admirably illustrated this part of the march from Polybius. Livy<sup>16</sup> says, that the mountain formed a precipice one thousand feet high, and that Hannibal made a new road down that precipice! This is nonsense, as every one must see. According to the account of Polybius, on the other hand, the avalanche extended to  $1\frac{1}{2}$  stadia, that is, about one thousand feet deep into the torrent Dora, at the beginning of the valley of Aosta. In this statement there is not one feature which is not perfectly correct, and founded upon

accurate observation. Hannibal endeavoured to strike into a new road, for he had probably been informed that Alpine hunters had gone by several other roads; but in this he failed, and for three days and three nights he was obliged to encamp in the snow, in order to make a new road of wood in those parts where the old one had broken down, and that sufficiently broad to carry his sumpter horses. This was the point at which his army was really in immense distress, and where he sustained great losses, especially of animals. After these difficulties were overcome, the army gradually came down into the valley of Aosta, which was a cultivated and tolerably civilised country, inhabited by the Salassians. The statement that from the top of the mountain Hannibal shewed to his soldiers the fertile plains of Italy, is likewise an impossibility, and merely a rhetorical invention; for from the top of the Little St. Bernard nothing is seen but mountains. On his arrival in the valley of Aosta, Hannibal had lost a large number of elephants, and his army was reduced to 20,000 foot (12,000 Africans and 8000 Spaniards) and 6000 horse,<sup>17</sup> for the most part Numidians. It is astonishing that so large a number of horses were preserved: but it shews what hardships the southern horses are able to endure, and the great care which the Numidians must have taken of them.

<sup>16</sup> Polybius, iii. 54, foll.

<sup>16</sup> xxi. 36, foll.

<sup>17</sup> Compare Livy, xxi. 38, with Polybius, iii. 56.

## LECTURE LXXIII.

THE whole mode of conducting the war on the part of the Romans is a remarkable instance of the same want of design, and of the same slackness, with which wars were carried on in the time of the French Revolution, whereby the French were enabled to gain many a victory. Without knowing any particulars, and by mere tradition, we may form the most vivid image of

the manner in which the Romans viewed their impending danger. When they heard that Hannibal had passed through the country of the Allobrogiens towards the Alps, they undoubtedly thought him a fool, whose army must perish by the elements. It is, indeed, only by supposing that this conviction was general among them, that we can account for their inactivity

and drowsiness. The consul Scipio, who was stationed at Marseilles, and had advanced into the interior as far as Avignon, ought to have been in Lombardy before Hannibal arrived at the top of the mountains;<sup>1</sup> but he did not reach the Po until Hannibal had descended from the Alps, and, to the amazement of the Romans, had defied and overcome all the immense difficulties which nature had placed in his way. We may well imagine what reports were spread about the losses sustained by the Carthaginian army, if we remember the logic of the senseless among the allies in the war against the French Revolution. What the Romans believed and said to one another was something to this effect: that it was madness in Hannibal to have led his army to such a monstrous undertaking; that he and his host would be destroyed by disease, and by want of all the necessities of life; and that not one individual would survive to return home across the Alps. It has often caused me the deepest grief to hear such reasoning, when people consoled themselves in this childish manner, and neglected the most necessary precautions. Had Hannibal been an ordinary general he would indeed have been in a precarious position; but with an undaunted spirit he advanced with his army, which after its severe sufferings must indeed have been in a frightful condition, and may not have appeared much better than a host of gypsies. Scipio had only two legions, a corresponding number of allies, and a small number of cavalry. The Romans were in many respects slaves to custom, which they often did not know how to abandon when a danger presented itself unexpectedly. Thus such an army had from early times been deemed sufficient, and for this reason they did not send a larger one. One part of the Gauls was in full insurrection; in the preceding summer the Boians had defeated one

Roman legion, and blockaded the rest in Modena, for they extended from Parma and Piacenza as far as the frontiers of Romagna. They treacherously captured three Romans of rank, who had been sent as triumvirs to superintend the establishment of the colony at Placentia, hoping that thereby they might recover their own hostages. They sent ambassadors to Hannibal when he was yet on the Rhone, to invite him to come to Italy. The Gauls north of the Po, the Insu-brians, were anxious to get an opportunity to rise against the Romans, but they did not venture to move until Hannibal arrived, for the Romans kept them in submission. Hannibal turned against the Tauriscans, and made himself master of Turin. While he was there engaged, Scipio had arrived at Genoa, and astonished at what he heard, had crossed the river Po, and encamped on the Ticinus, probably in the neighbourhood of Pavia. Hannibal now turned against him; they met for the first time on the Ticinus, and to the great astonishment of the Romans, Hannibal still had a large army. An engagement with the Roman cavalry took place, in which the Romans were beaten by the Spanish and Numidian horsemen. In this skirmish, the consul Scipio received a dangerous wound, and it was only with great difficulty that he was rescued from the tumult, according to some writers by his own son,<sup>2</sup> afterwards the great P. Cornelius Scipio Africanus.

The issue of this engagement, which would have created but little sensation in other wars, at once convinced the Romans of the delusion under which they had been labouring, and that they must keep on the defensive. Scipio retreated across the Po, gave up its northern bank, and pulled down too early the bridge of rafts which he had constructed. A portion of the soldiers, intended to protect the bridge on the left bank, thus fell into the hands of the Carthaginians. Hannibal had difficulties in crossing the Po, and

<sup>1</sup> We saw the same slowness in the year 1800, when the Austrians had it in their power either to prevent the passage over the Great St. Bernard, or to render it fruitless.—N.

<sup>2</sup> Livy, xxi. 46: Polybius, x. 3.



had to collect boats from the neighbouring rivers. In the meanwhile the Insubrians declared for him.

The Romans now fixed their hopes on the support of Tib. Sempronius, who had made a descent upon Malta, had taken some places on the African coast, and was now on his return to join Scipio. Here we meet with a fine example of the discipline of the Romans: they knew that nothing was so fatiguing to the soldiers as to march along the road in columns, and accordingly avoided it as much as they could; but now they did something which seems possible only in the very highest degree of enthusiasm: the army was not kept together to march to its place of destination, but every soldier was obliged to take an oath, that on a certain day he would appear at the appointed place; a violation of the oath was to be severely punished. Sempronius had his troops at Puteoli,<sup>3</sup> and there disbanded them, with the command to join him again at Ariminum. Thence they marched towards the Trebia, and joined Scipio. It is inconceivable how the two consuls could join each other; Sempronius must have marched through Liguria by way of Genoa.<sup>4</sup> Both consuls now undertook the command alternately. I believe that there is something incorrect in our description of the occurrences which now ensued. General Vaudoncourt has endeavoured to clear up the matter; but his idea of the battle on the Trebia is false in the highest degree. We must suppose that Hannibal was on the eastern bank of the Trebia: the Romans cross the river to offer battle, consequently Hannibal, who was on the right bank of this river, must have crossed the Po somewhat below Placentia.<sup>5</sup> In order to render a battle in which you

are sure of victory quite decisive, you must elude the enemy,<sup>6</sup> and cut off his retreat: such was the constant method of Hannibal, and has at all times been the method of every courageous general who was conscious of the strength of his army as well as of his own superiority, and was confident of victory.<sup>6</sup> We must therefore suppose that the Romans had crossed the Po in the neighbourhood of Piacenza, and Hannibal, as all circumstances shew, and as I have already observed, some distance below Piacenza.<sup>7</sup> It is said, for instance, that the Romans transferred their camp from the left bank of the Trebia towards the foot of the Apennines, where they were better protected against the cavalry of the Carthaginians by several low hills rising out of the plain.<sup>8</sup> This and several other things are intelligible only if we suppose that Hannibal crossed the Po somewhere between Piacenza and Parma. The Romans had gained their object and joined the army of Tib. Sempronius, but were cut off from Rome and pressed towards Piedmont. When Providence has once decided upon the destruction of an army, all the most unfortunate circumstances will conspire for that purpose. At that moment the wound of Scipio was no trifling matter. It healed very slowly, and was so severe that he could not appear at the head of his army; and who among his legates could have undertaken the command? Two months and a half had elapsed from Hannibal's passage over the Little St. Bernard to his arrival on the Trebia, and he had employed his time in establishing himself in the country, and in restoring his men and horses.

<sup>3</sup> So it is in the MS. notes; but Niebuhr probably made a mistake, for, according to Polybius, Lilybaeum is meant.

<sup>4</sup> In 1828 Niebuhr quite positively expressed this opinion, "Sempronius came from Africa to Genoa," on which account he omitted the mention of the soldiers' oath to reassemble at Rimini.

<sup>5</sup> See Livy, xxi. 47, foll.; Polybius, iii. 58, foll.

<sup>6</sup> When in the year 1800 Napoleon crossed the Po, between Pavia and Piacenza, he defeated Melas, the old and awkward Austrian field-marshal, by the same tactics, i. e. by placing himself between Melas and his basis to fight the battle of Marengo, whereby Melas was compelled to sign the convention.—N.

<sup>7</sup> One of my friends, Major-General von Schütz, of Magdeburg, who is a highly distinguished tactician, has perfectly convinced himself, and me too, that Hannibal cannot have followed the traces of the Romans.—N.

<sup>8</sup> Polybius, iii. 58; Livy, xxi. 48.

The 6000 horsemen whom I mentioned before, may have included those who had been newly mounted. Hannibal distressed the Romans very much, by taking their stores of provisions. The consul Sempronius, now united with Scipio, thought it a disgrace to the Roman name to remain idle, and insisted upon offering battle, saying that a blow must be struck, as soon as possible, to prevent the enemy from appearing formidable; but Scipio refused to give his consent, partly on account of the state of his health, and partly because he had already had some experience of the character of his enemy. Hannibal, on the other hand, being perfectly sure of victory, was greatly inclined to begin an engagement with the Romans; for as long as the two armies were encamped opposite each other, he could not take up his winter quarters, which was an essential point, as he wanted rest for his troops, and was also anxious to get rid of the Romans in those districts, that the Gauls might be enabled to declare their sentiments. He was encamped some miles south of Piacenza, on the right bank of the Trebia, and the Romans opposite to him on the left bank. He irritated the enemy by little skirmishes, in which he allowed them some apparent advantages over him. The Trebia has become memorable in modern history for a battle which Macdonald lost on its banks in the year 1799 against Suwarrow: it does him great honour that he effected his retreat to Genoa, where he joined the rest of the army. I never saw the river myself, but I have gathered information concerning its localities; and it is remarkable that to this day they perfectly agree with the description given by Polybius. The Trebia is a very broad torrent which comes down from the Apennines in many branches, and in such a manner that it flows between its two banks in the form of several small streams. The ground consists of gravel and is covered with shrubs. In winter, when the snow melts on the mountains, or after a heavy rain, the river is very broad and overflows the neighbouring country;

but at other times one can walk through it. Hannibal placed some detachments in ambush among the shrubs, which then, as now, covered the banks of the river to a considerable extent. He had for some days been trying the Romans, and Sempronius began to imagine that Hannibal was timid and would not venture upon an open contest. But the simple truth was that he wanted to induce the Romans to cross the river; he would not attack the Romans on the left bank, because he would not lead his army, at a cold season, through an icy river. The Romans fell into the snare. Pedestrian travellers in Italy are accustomed to walk through the Trebia in summer, but at that time the cold was very severe. Hannibal had large fires in his camp, for brandy was then not known except in Egypt;<sup>9</sup> he gave his soldiers warm and plentiful food, and made them rub their bodies with oil at the fires, so that they became quite brisk and warm.<sup>10</sup> During the day there was a plentiful sprinkling of snow, and the cold in that part of Lombardy, especially in the neighbourhood of Verona, is in truth not less severe than an ordinary winter in Germany. Notwithstanding all this, the Romans were imprudent enough, during the night, to wade through the river, which had risen so much that they were up to their chins in water: in addition to this, the wind blew the snow into their faces, so that they were almost frozen when they arrived on the right bank. Hannibal now advanced to meet them, and the Romans, although in reality they were already defeated by the elements, yet fought as brave soldiers; they formed indeed an army of 30,000 men against 20,000 enemies, but the Carthaginian cavalry quickly drove back the Romans, whose infantry was in fact worn out: they did all they could, but they were a militia against an army of veterans, and were opposed by the elements. When all had got through the

<sup>9</sup> In the paintings on the walls of Thebes, the whole process of distilling is represented.

—N.

<sup>10</sup> Polybius, iii. 72; Livy, xxi. 55.

river, the Carthaginians, who had been lying in ambush, rushed forth and attacked their flanks. The loss of the Romans was very great: many were thrown back into the river and perished; the left wing, about 10,000 men, escaped to Placentia. The weather afterwards became so fearful, that the Carthaginians did not pursue the Romans any farther, although their usual maxim was to follow up a victory to the utmost. All the Romans who survived the day, threw themselves into Placentia, where they had their stores, and there they remained for some time. The consul was at first base enough to deceive the senate at Rome by false despatches, and to conceal the extent of his loss; but the truth soon became known. Hannibal's army spread over both banks of the Po, where he now took up his winter quarters in order to give his soldiers rest, and lived in plenty upon the stores of the Romans. The Insubrians now openly espoused the cause of Hannibal. He did not attack Placentia, because it was of no importance to him: and he always knew what was necessary. The Roman army in Placentia thus escaped, and a portion of it marched down the Po to Cremona, whence the whole afterwards went to Ariminum, where the new consul, C. Flaminius, had arrived with reinforcements.

According to Livy,<sup>11</sup> Hannibal, that same winter, made an attempt to march across the Apennines into Etruria; this is indeed possible, though hardly probable, and Polybius knows nothing of it. That period was one of those which afford abundant materials for rhetorical exaggeration. It may be, however, that Hannibal made some excursion to reconnoitre the country, or perhaps even some greater expedition; but the description which Livy gives of this reputed march from Modena to Lucca, of the localities and the storm, is a masterly production. I have myself witnessed a storm in those Apennines in summer, and judging from what I then saw, a storm in winter

must render it utterly impossible to ascend the mountains. But to the inhabitants of the adjacent country such a storm is nothing uncommon: they speak of it as an ordinary occurrence. In the plain its effects are not so strongly felt, but on the mountains it is really frightful.

Caius Flaminius had now obtained the unlucky honour of the consulship. His name has come down to us in an unfavourable light; but so far as we can judge of his actions, unjustly so. In his tribuneship he had carried the assignment of the *ager Gallicus Picenus*, for which the noble Roman families never forgave him. He afterwards, as consul, made himself still more obnoxious by supporting a tribunician law which was very offensive to the Roman nobles. This transaction is a curious example of the hypocrisy of those aristocrats who always talked of the good old times, and spoke of all trade and industry with contempt; although they endeavoured to gain by the same means for themselves all the advantages they could. Such men are not capable of a generous action under any circumstances, or of sacrificing their own personal interests in any way. The tribunician law which C. Flaminius supported forbade all senators to have, either directly or indirectly, any sea-going ships of a greater burden than 300 amphorae, and those which they were allowed to have, were only to be used in conveying corn from their estates to Rome.<sup>12</sup> This law prevented the nobility from acquiring wealth by commerce and trade, and confined them to agricultural pursuits on their own estates. The greediness of the Roman aristocracy was extremely hurt at the blow thus inflicted upon them; but the principle of the law was perfectly consistent, and it was only right that the senators should not interfere with the pursuits of the equites or wealthy merchants, who now formed the second class in Roman society, and to whom banking, commerce, and industry

<sup>11</sup> xxi. 58.

<sup>12</sup> Livy, xxi. 63.

should have been left undisturbed.<sup>13</sup> But the law, nevertheless, produced among the aristocrats so much excitement against C. Flaminius, that they spoke of him only as a mutineer. He may have been a sanguine and inconsiderate man; but I am convinced that he was actuated by anything but revolutionary ideas. If a man is once doomed to be decried, he is generally made to feel his doom in all possible ways. Thus, in regard to his march to Ariminum, he was charged with rashness because he had gone thither without waiting for the Latin holidays—a charge which is quite ludicrous. Surely Hannibal would not have waited till the holidays were over; he had, on the contrary, set out so early, that Flaminius was in reality already too late.

The prospects of the Romans were very gloomy, for the enemy was now in Italy with his superior forces; they formed new legions, and here they were labouring under a disadvantage, for their veterans were lost, and their tactics were the worst of all when the soldiers were untrained (this was the cause of the defeat at Cannae); whereas with well-drilled soldiers they were the best. They ought, under these circumstances, to have formed only phalanxes, so as to fight in masses. Hannibal had before him three roads, two leading through Tuscany, and one along the Adriatic to Rimini, in the neighbourhood of which Sempronius was encamped, with the reinforcements which the new consul had brought to him. It is an unaccountable fact, that the Romans do not appear to have expected the enemy in Etruria; no army seems to have been there, for Hannibal penetrated into the country through the marshes without meeting with any resistance. One of the two roads into Etruria led across the Apennines, by Prato towards Florence, and the other from Bologna by Pietramala and Barberino, where the Apennines are broadest and

wildest. The latter must then have been impassable and overgrown with woods, perhaps in order to prevent the inroads of the Gauls. Hannibal might have forced his way through, though perhaps with some danger; but, for his purpose, it ran too close by the Apennines,<sup>14</sup> and if he had been betrayed there, Flaminius might easily have fallen upon his flank from Rimini. Hannibal therefore took the other road. It is surprising that this road has ever been a subject of dispute. Strabo, who very seldom makes a mistake, had a wrong idea of the matter, in speaking of the marshes in the neighbourhood of Parma.<sup>15</sup> In Italy, or at least in Tuscany, no one has any doubt as to which road is to be understood. The road ran by Lucca and Pisa, and is at present very agreeable; but formerly the Arno penetrated into the country as far as Sendi,<sup>16</sup> and formed a shallow bay, which, at a very remote period, had gradually been filled up, like the Pomptine marshes, though it is not so unhealthy. On its northern bank, not far from its mouth, there is still a number of lakes, some of which are quite close to one another; and there are traces everywhere that the marshes have been drained by canals. This is the case as far as Pisa, which itself is situated somewhat higher, the ground on which it stands being a continuation of the fruitful fields of Lucca. Hannibal marched through this country, which in the spring is covered with water, and forms a lake; he had learned that it was not a morass, but that the water was fordable. The Romans, however, thought themselves quite safe in that quarter. Hannibal first, probably, went to Modena, to deceive the Romans, and then turned to the right; he shewed his enemies that he could get

<sup>14</sup> This seems to be an error, though all the MS. notes have "Apennines"; it is difficult to say with certainty what should be substituted, perhaps "Rimini."

<sup>15</sup> Strabo, v. p. 217. Compare Polybius, iii. 78, and Livy, xxii. 2.

<sup>16</sup> This name, too, is probably incorrect; the MS. notes have either this name, or some one which has a similar sound.

<sup>13</sup> Such a law would have been quite in the spirit of the Venetian aristocracy at its best period.—N.



through, although he had to struggle with unspeakable difficulties. In war he never asked whether what he thought necessary could be done with or without loss, and acting in this spirit, he set out on his march towards Etruria. The difficulties which he is said to have encountered may be exaggerated; but the description which we have of his march seems, on the whole, to convey a correct idea of it. He lost a great number of men and horses, and had only one elephant left. During his passage over the Alps he had been attacked by a disease of the eyes, and now on his passage through the marshes he lost the use of one eye completely. After a march of three days and a half, he arrived in the neighbourhood of Faesulæ, and then turned towards the valley of the Upper Arno, behind Florence, where the country was even then drained, but is now wonderfully improved. His army had been considerably increased by the Gauls, and he now allowed the men time to recover from their fatigues.<sup>17</sup> A report of his march had

<sup>17</sup> The following account belongs to the Lectures of 1826-7, but I do not think it right to suppress it:—

"Whether Hannibal now marched along the Arno into the upper valley of the river, or turned towards the territory of Siena, cannot be ascertained. I believe he did the latter, although Livy speaks of his ravaging the valley of the Upper Arno (which is perhaps an invention of Coelius Antipater), in which case Flaminius could not have made his unfortunate march. Hannibal's object must have been, not to devastate some districts of Etruria, but to gain the road to Rome before Flaminius; and so he did. Hence, I believe, that on issuing from the marshes he turned towards Chiusi into the hills. Flaminius heard of this march, and endeavoured by quick movements to reach the road to Rome. If my opinion be correct, the account of Polybius is erroneous, for according to him and Livy, Hannibal passed by Cortona, and threw himself between the hills and lake Trasimenus, whither Flaminius followed him. Hannibal, they say, then halted, took possession of the heights, and lay in ambush against Flaminius. According to my opinion, both generals, though from different sides, marched round the lake; for otherwise Flaminius could not possibly have allowed himself to be taken by surprise. Had Hannibal come by this road, he would have been only a few hours' distance from Arezzo, and Flaminius must have been informed of his march long before;

reached C. Flaminius, who was encamped at Arezzo, and who, thinking that Hannibal would throw himself upon Ariminum, intended to hasten through Romagna to the assistance of the Romans there. But when Hannibal suddenly appeared in the heart of Etruria, Flaminius broke up his camp without delay, in order to gain possession of the road to Rome before Hannibal's arrival. The latter proceeded on the road of Chiusi towards Rome, and ravaged the country which he traversed. Flaminius followed him with the greatest speed. One of the hypocritical charges brought against Flaminius was, that he paid little attention to the auguries, and that he did not defer his march because the standard-bearer—probably from fear—could not draw the standard out of the ground.<sup>18</sup> We can scarcely form an idea of the influence exerted by such absurdities; but they prove what Polybius says, that during this war the Romans were very much given to superstition.

Hannibal advanced on the road to Rome from the valley of the Upper Arno, below Cortona, and had the lake of Trasimenus on his left. Flaminius followed him in haste and amazement, for Hannibal had gained a few days' marches upon him, and

but if Hannibal passed through the territory of Siena, by San Gemignano and Colle, everything is clear; we then comprehend how Flaminius, who broke up to follow him, was unable to overtake him; and how Hannibal came to the south side of lake Trasimenus, while Flaminius imagined that he had already advanced much farther on the road towards Rome, and that he was only intending to cut him off. In this manner, moreover, it might happen that Hannibal, encamping on the south side of the lake, placed his light troops on the hills around the lake, between which and the mountains the road ran. That Flaminius did not perceive this, could be true only on the supposition of his not knowing that Hannibal had marched that road."

Although the general presumption is, that when Niebuhr's later opinions differ from the earlier ones, he had changed his views, and that accordingly the latter only should be given, still the present case seemed to be different, and for this reason the minute discussion about Hannibal's route has been given here as a note.

<sup>18</sup> Livy, xxii. 3.

might have advanced still further : but he knew the advantages of his ground, and wished to gain a decisive battle. When the Romans came to the pass on the south side of the lake, they found it closed, for Hannibal had in the meantime marched round the lake, and Flaminius, in the belief that he was still continuing his road towards Rome, descended from the hills which stretch along the lake : in some places they are not more than a stone's throw from its borders. Hannibal ascended the hills from behind in columns, took his station upon them, and placed his light armed troops where the space between the hills and the lake was narrowest, and formed a very long defile. Here we see again the finger of Providence ; for the day was foggy, and the Romans, without being able to see either the lake or the hills, broke up very early, before sunrise, to continue their march, in very thick columns, which were unable to manoeuvre. When they arrived in the narrow defile, they fell in with the light armed troops of Hannibal, and imagining that the Carthaginians were returning to meet them, they thought it necessary to hasten onward without delay, and repeatedly assailed the enemy, but without success. Hannibal drew his

columns to the right and outflanked the Romans ; and while they attempted to force their way through the light armed troops, Hannibal attacked them from behind and from the hills. Thus the Romans were driven into the lake, and not more than 6000 forced their way through the enemy, and thus escaped ;<sup>19</sup> the greater part perished in the lake, and C. Flaminius was among the slain. In Dutens' *Manuel du Voyageur* and other books, two spots, La Ossaia and the Ponte di Sanguinetto, are pointed out as the places where the battle was fought, and they are generally cited as instances of the manner in which local traditions are preserved. But the Sanguinetto cannot possibly have been the actual scene of the battle, which may, however, have been fought in the vicinity ; and as for La Ossaia, I have discovered that in the sixteenth century it was called Orsaria (a bear's den), and that the nobles of Perugia used to keep bears (*orsi*) on that spot, from which it derived the name Orsaria, which was subsequently corrupted into Ossaia.

<sup>19</sup> This battle strongly resembles the unfortunate day of Auerstadt, for there, too, charges were continually attempted, and one detachment was destroyed after another.—N.

## LECTURE LXXIV.

SHAKESPEARE has connected awful phenomena of physical nature with occurrences in the moral world, as Thucydides connects the physical phenomena of the Peloponnesian war with the moral condition of the people. During the second Punic war, the earth was in like manner shaken by extraordinary convulsions and fermentations which were going on in its bowels, and Pliny<sup>1</sup> says that in the year of the battle of Trasimenus fifty-seven earthquakes were reported at Rome, a greater number than had ever been observed before within so short a period. Whether

the earth shook in fifty-seven different places or at different times of the year, cannot be decided, on account of the vague manner in which Pliny speaks of the fact. Many places were changed into heaps of ruins, as Cannae in Apulia ; and others lost their walls. We cannot, however, believe the statement of Livy that the earth shook under the feet of the combatants, without their being aware of it, although the motion was so violent that the walls of many Italian towns fell down.<sup>2</sup> It may be that the thick

<sup>1</sup> *Hist. Nat.* ii. 86.

<sup>2</sup> Pliny, *l. c.* ; Livy, xxii. 5 ; Zonaras, viii. 25.

fogs which covered the scene on the morning of the battle, had some connection with these internal convulsions of the earth, although in spring such fogs are not unfrequent in those districts. I myself saw one in the month of June in the valley of the Tiber, not far from lake Trasimenus, which reminded me very forcibly of the description given of the morning of that memorable battle. Flaminius had fallen in an honourable struggle; but although his guilt is infinitely smaller than that which is laid to his charge, yet in my opinion he cannot be entirely acquitted of negligence in the battle; but in great events intended to change the fate of the world we often see a prevailing fatality which blinds even the most prudent.

After the battle of Trasimenus, Hannibal, as he had done after that on the Trebia, exchanged the Libyan armour of his soldiers for that of the Romans,<sup>3</sup> which shews how well he knew how to train his army. In order to use the Roman armour with success, it was indispensable to adopt their whole method of training and exercising the troops, and this could not be learned as quickly as the manoeuvres of the phalanx. The introduction of the pilum, the use of which could not be easily learned, alone proves that even in the midst of war he kept his troops ready for any improvement. The Spaniards were allowed to retain their own armour. Ever since the battle on the Trebia he had made a distinction between the prisoners: he treated the Italicans with kindness; he took care of the wounded, often gave them presents, and restored them to freedom, probably on condition that they should never again take up arms against him. He now adopted the same line of conduct towards the far greater number of prisoners who were taken in the battle of Trasimenus, and proclaimed himself to the inhabitants of Italy as their deliverer from the Romans. When he crossed the Alps, it was not his intention to fall upon

Rome like a torrent, and to scale its walls; he was not capable of such a false calculation; he must, like Pyrrhus, have entertained the idea of forming a close alliance with the Italicans, and of thus crumbling Rome to dust by a series of wars. Pyrrhus had had the power to crush Rome, but Hannibal was obliged to create for himself a power in Italy before he could hope successfully to contend with Rome.

When he broke up from lake Trasimenus, which must have been immediately after the battle, he encountered in Umbria a detachment of four thousand Romans, chiefly cavalry, who had been sent from Rimini by the consul Servilius, to reinforce the army of C. Flaminius; they were surrounded by Hannibal, and almost all of them were cut to pieces. This at least is stated, with the greatest probability, by Polybius; but Livy says that Centenius, by the command of the senate, formed an army after the defeat of Trasimenus had become known. This is not likely, as the news of the defeat could not then have reached Rome.

Hannibal did not march towards Rome, but to Spoleto, which belonged to the third line of Roman colonies, in the hoping of making an impression upon the town, the conquest of which would necessarily afford him great advantages. But the town held out, and remained faithful to the Romans.<sup>4</sup> One feeling which Hannibal, in common with many great generals of modern times, such as Frederic the Great, entertained, was an aversion to sieges. He himself never besieged a place, and long sieges were always conducted by his generals. When, therefore, he found that his attempt upon Spoleto did not succeed, he broke up, and continued his march into Picenum. The gates of all the towns were closed against him, except where they had been thrown down by earthquakes. Now, every one will ask, Why did he not march directly towards Rome? Why

<sup>3</sup> Polybius, iii. 87; Livy, xxii. 46.

<sup>4</sup> Livy, xxii. 9.

did he not avail himself of the general consternation which prevailed there?—for the Romans were alarmed in the highest degree, and the city and its immediate vicinity were no longer their recruiting places; their forces could be strengthened only by drawing reinforcements from distant parts of Italy;—or why did not Hannibal attempt to blockade Rome, if he despaired of taking it by assault? To these questions we may give the following answer: in those times Rome was an extremely strong fortress, protected by steep rocks, walls, banks, and moats. The Capitoline rock was hewn quite steep; one side of the Quirinal, as far as the Porta Collina, was a rugged rock, and protected by a strong wall; further on was the wall of Servius Tullius, an Italian mile in length. Where the city was not protected by anything but a wall, as between the Aventine and Caelius, there it was backed, at least partly, by marshes; in short, a great army would have been required to undertake the blockade. Hannibal would further have required very large engines, of which he had none. He might have burnt down the suburbs, and thus have produced great terror and alarm; but that was not what he wished, and he had, besides, several reasons for not undertaking anything of the sort. His army was suffering from diseases, principally of a cutaneous nature, and required rest for the recovery of its health. The horses, too, had suffered much, and he was obliged to find quarters for them.<sup>5</sup> The connections which he hoped to form with the Italicans by his generous conduct towards them had not yet been effected.<sup>6</sup> Another reason must assuredly have been the unhealthy state of the atmosphere in the neighbourhood of Rome during the summer months. The battle of Trasimenus may have taken place about the end of May or the beginning of June: there is a passage from which its exact date can be inferred, but I do not

recollect it at present.<sup>7</sup> His army, therefore, would have been consumed by diseases, even if the health of the soldiers had not already been impaired. He accordingly took up his summer-quarters—which are as necessary in Italy as winter-quarters are in other countries,—in Picenum and the Marca Ancona, a fruitful and healthy country, with a moderate temperature. Providence here again evidently interfered on his behalf; the earthquakes, which announced awful events to the world, had paved his way, and been his battering-rams, for the walls of several fortified towns were thrown down, and he was enabled to gain an entrance into many places without resistance, and provide himself with the stores he found in them.<sup>8</sup> While his soldiers thus recovered from their sufferings, the Romans exerted all their powers. Q. Fabius Maximus was made dictator, and received the command of the army, which he formed by collecting those who had survived the day of Trasimenus, and by fresh levies, for the flower of the Roman troops had been destroyed.<sup>9</sup> The Romans began even to enlist prisoners as soldiers when they were willing to serve. With such troops he was to oppose Hannibal, whose strength necessarily increased with every fresh success, whereas the Romans were suffering under the feeling that they were the conquered, and could not venture upon a battle; but Hannibal, too, like all great commanders, did not like to fight a battle unless it was necessary. Fabius saw that he must train his troops, and that the fidelity of his allies was a great piece of good fortune. Of this circumstance he was obliged to avail himself. He further hoped that the consequences of the fact that Hannibal's army was such a

<sup>7</sup> (It was ix. cal. Jul.; see Ovid. *Fast.* vi. 765, foll.) The atmosphere in and about Rome is pestiferous even before the end of June; and in ancient times it was no less so than at present.—N.

<sup>8</sup> Livy, xxii. 18, who gives one instance of it.

<sup>9</sup> Livy, xxii. 11; Polybius, iii. 88.

<sup>5</sup> Polybius, iii. 87.

<sup>6</sup> Polybius, iii. 90.



motley host would soon become manifest; but this was not the case. The army, it is true, was composed of a variety of nations; the Gauls especially were very numerous, but they were so enraged against the Romans that Hannibal could firmly rely upon them. The nucleus of his troops consisted of Africans, and a smaller number of Spaniards, who were probably the best of all. Lastly, he had many slingers; his infantry did not amount to more than 40,000 men altogether, and with this army he was in a country where as yet no town had, of its own accord, opened to him its gates; the country through which he had marched last was particularly attached to the Romans: in Apulia the feeling was probably different.

In the meantime Hannibal left his quarters, at the beginning of autumn, when the season became more favourable. He marched through Abruzzo, the country of the Pelignians and Marrucinians, along the coast of the Adriatic; but he was opposed by Fabius, who endeavoured, and partly succeeded in cutting off his supplies; but Hannibal in these difficulties deceived him, broke up without being observed, and suddenly appeared in Campania, wishing to reach Casinum and the Via Latina, and by confining the communication between Rome and Campania to the Via Appia, to ascertain whether such a position would encourage the Italians to venture upon something decisive. He soon found himself involved in difficulties on account of his having no maps, though it is wonderful how well, in general, the ancients attained their objects without them. He knew that Casinum lay on the road, and he commanded one of his guides to lead the troops thither. Now whether it was that he made a mistake in speaking, or that the guide misunderstood or wished to betray him, we know not, but the guide led his troops through upper Samnium and down the Volturnus, to Casilinum.<sup>10</sup> Hannibal did not discover

the mistake till it was too late, for Fabius was beforehand, and had turned from the Via Latina into Samnium, and fortified himself there. When, therefore, Hannibal saw that his plan was thwarted by this unlucky accident, he ravaged the Falernian district and the beautiful country of Campania, where many of the Roman nobles had their estates, and where he made immense booty. He then intended to return through Samnium into Apulia, in order to take up his winter-quarters in those mild districts, and at the same time to have, by his presence, the southern Italians more under his direct influence. He had already conceived the idea of forming an alliance with Tarentum and other towns, and even with the king of Macedonia. Fabius, however, cut off his retreat near mount Callicula, by closing the road of Caudium while another detachment secured the passes of Casinum on the road to Rome. Hannibal, however, did not lose his presence of mind; he was encamped at the foot of the hills occupied by Fabius, and availed himself of a celebrated stratagem. The story related by Livy about the fastening bundles of brushwood to the horns of a great number of oxen, and kindling the wood in the darkness of night, etc.,<sup>11</sup> represents the Romans in a foolish light. The truth is stated by Polybius.<sup>11</sup> Nothing was more common among the ancients than the march by night with lanterns; and when the Roman outposts saw the lights between themselves and the unoccupied district, they thought that the Carthaginians were forcing their way, and quickly advanced towards the scene of the supposed danger to shut the road against the enemy. In the meantime Hannibal quickly took the position which had been occupied by the Romans; the whole army thus escaped without loss, and the Roman camp was destroyed by fire. Hannibal continued his march through Samnium, until he reached the frontiers between Apulia and the Freta-

<sup>10</sup> Livy, xxii. 13.

<sup>11</sup> Polybius, iii. 93; Livy, xxii. 16; Zonaras, viii. 26.

nians, where he pitched his camp. Here Fabius again met his enemy, but without suffering any defeat: in petty skirmishes the Romans even gained some advantages. But these little victories led the Romans to forget their real position, and to believe that their former defeats were to be attributed merely to chance, and that Fabius, with more courage, might wipe off the disgrace from the Roman name. Fabius was obliged to return to Rome, and left the whole command of the army to his *magister equitum*, M. Minucius Rufus. It is well known that the senate gave to Minucius the power of *pro-dictator*, so that both had equal powers;<sup>12</sup> and afterwards when Fabius returned, the troops were divided between him and Minucius. When Hannibal was informed of this measure he provoked Minucius, lay in ambush, and gained such a victory over him, that he would have been completely lost, had not Fabius and a faithful corps of Samnites come to his assistance. Minucius now resigned his power, and Fabius terminated the campaign in as favourable a manner as the circumstances would allow.

During the ensuing winter, Hannibal was, properly speaking, in distressed circumstances: the harvest appears to have been safely carried into fortified towns before his arrival; for provisions were scarce, and he had great difficulty in supporting his army; but what more than anything else rendered his situation precarious, was the fact that not one of the Italian nations had yet joined him against the Romans.

The consuls of the year 536 were L. Aemilius Paullus and C. Terentius Varro. This is the first and perhaps the only time in Roman history that we read of events such as we are quite familiar with in the history of Athens at the time of Cleon and Hyperbolus, when tradespeople rose to the highest offices of the republic. The account that Varro's father was a butcher, is

so strongly opposed to everything that had gone before or followed afterwards, that it is hardly credible. But if it was so, the idea of the character of a plebeian must have been completely altered; and such trades must have been carried on not only by strangers, aliens, and freedmen, but by native citizens. In former times, it would have been impossible for any person to obtain the consulship in such a case. Whether a man possessed a hide of land, of two or four jugers, nay, whether they were his own property, or whether he merely tilled them as a labourer, was a matter of indifference to the Romans; but it was husbandry which in their opinion made a man honourable. Varro is said to have risen, like Cleon at Athens, by demagogic artifices;<sup>13</sup> but whether the account of Livy is correct or exaggerated, or whether it is a mere tale, cannot be ascertained. If, however, we look at the events themselves, we cannot help doubting the justice of the sentence of condemnation which our historians pronounce upon him. Had he been really and solely the cause of the defeat of Cannae, how did it happen that, after the battle, the senate went out to meet him, and offer thanks to him for not having despaired;<sup>14</sup> and that from that moment, down to the end of the second Punic war, he alone had an army with extraordinary powers? It was only *ominis causa*, that he was not re-elected to the consulship. If he had actually been a contemptible man, as Livy says, such distinctions would be incomprehensible. My belief is, that he was one of those unfortunate persons, who, like Cn. Flavius, were decried by the pride of the nobles. In their political opinions the two consuls were diametrically opposed to each other. Aemilius Paullus was not merely a patrician, which would have made little difference, but he was literally a *μισόδημος*, on account of an unjust charge which had been brought against

<sup>12</sup> Livy, xxii. 26; Polybius, iii. 103; Dion Cassius, *Fragm.* 48; Plutarch, *Fabius*, c. 7; Zonaras, viii. 26.

<sup>13</sup> Livy, xxii. 25, foll. Polybius knows nothing of it.

<sup>14</sup> Livy, xxii. 61; Plutarch, *Fabius*, 18.

him before the beginning of the Punic war, when he had with difficulty escaped condemnation. The learned M. Terentius Varro, who, scarcely 150 years later, belonged to the aristocratic party, was no doubt a descendant of the consul: so much and so quickly do circumstances alter!

Each consul usually commanded an army of two legions, each containing 4200 men, and 200 horsemen, with the corresponding number of allies, that is, 5000 foot, and 600 horse. When this force was united it consisted of four legions, and a corresponding number of allies, i.e. 16,800 Romans, 20,000 allies, and 3,200 horse. The Romans had now exerted themselves to the utmost to raise their troops to an equal number with those of the Carthaginians. Their forces consisted of no less than eight legions, all more than complete, each consisting of 5000 foot and 300 horse. There were consequently 40,000 Romans, independently of their allies, who served as infantry,<sup>15</sup> 2400 Roman horsemen, and 6000 of their allies. This army was commanded by the consuls of the year, and those of the preceding year, under the title of pro-consuls. All met in Apulia. Q. Fabius urgently requested the commanders to adopt his plan, and this also was the wish of the consul L. Aemilius Paullus: but at Rome people thought differently. Hannibal had no longer any elephants, but he had a considerable number of Gallic horsemen; the Spanish cavalry, however, was the best. The Numidians, like the Cossacks, were not made for a charge, but were most excellent for reconnoitering, foraging, and harassing the enemy: against the infantry or heavy cavalry they were useless.

The description of the battle of Cannæ in Appian is taken from Fabius Pictor, and occurs also in Zonaras. According to it, Terentius Varro was not by far as guilty as he is described in Livy and Polybius. When the consuls set out from Rome, the whole people, it is said, murmured

at the slackness of Fabius, and demanded a battle, because the protracted war was oppressive. This account has internal probability, and also explains why Paullus yielded against his own conviction. The two consuls united in Apulia, and by their superiority in numbers somewhat alarmed Hannibal, who established himself at Cannæ. The town had been destroyed by an earthquake, but the arx which he took by treachery, was still standing. It is a mere chance that we know the date of the battle of Cannæ, and we are astonished to find that it was at so late a season of the year: Gellius<sup>16</sup> says that it took place on the second of August. If the statement is correct, we may ask, how was it that so long a time was allowed to pass away in inactivity? But according to Polybius' account, the season does not seem to have been so far advanced; this, however, is an obscure point. At any rate, the harvest, which takes place in those districts about the end of May, must have been over. The two armies were encamped for a considerable time opposite each other on the banks of the Aufidus, in the real plain of Apulia, the soil of which consists of lime, as in Champagne, and therefore contains few springs, so that water had to be fetched from the Aufidus. Hannibal is said to have been so pressed for provisions, that if the battle had been delayed, he would have been obliged to break up. He enticed the Romans to a battle, and in a skirmish during a foraging excursion they gained a victory, Hannibal not supporting his troops, and pretending to be timid. The Roman forces were yet divided into two camps, each occupying one bank of the river; their head quarters were at Canusium, and their stores at Cannæ. The latter place, which was only a few miles distant from the Roman camp, was taken by Hannibal before their own eyes, because they were not yet strong enough to prevent it.<sup>17</sup> Even afterwards, Paullus was too timid to engage

<sup>15</sup> Polybius, iii. 107; Livy, xxii. 36.

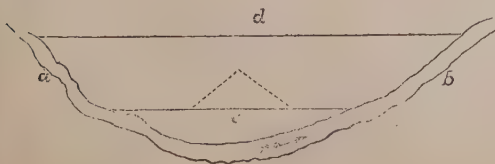
<sup>16</sup> *Noct. Att.* v. 17; *Macrob. Sat.* i. 16.

<sup>17</sup> Polybius, iii. 107.

in a decisive battle. It may be, however, that all the troops had not yet arrived, and that for this reason Aemilius Paullus would not yet venture to attempt anything. But what ought to have been done? The wisest plan, I believe, would have been to refuse a battle as long as Hannibal did not compel them to it; for the longer the hopes which Hannibal entertained in regard to the Italicans continued to be disappointed, the better it was for the Romans. But it might, on the other hand, be said also, that a longer delay might have encouraged the allies of the Romans to do what they wished, but did not yet venture to do. Everything depended upon one decisive moment; and if the Samnites or Capua had deserted the Romans, their situation would have been fearful. Aemilius Paullus knew that if he conquered in the battle, the advantages would be immense; but he also knew that if he lost the battle, all would be lost. One camp of the Romans crossed the river Aufidus, and joined the other.

The traveller Swinburne was the first who gave a satisfactory and clear description of the scene of the battle of Cannæ, and with his description the battle can be easily understood. The Aufidus near Cannæ forms a great reach, and on this the two armies draw up, the Romans standing on the chord of the arc which is formed by the river. Hannibal likewise crossed the river, and drew up his army in battle array in the face of the enemy, in such a manner that his two flanks were leaning against the curve of the river.<sup>18</sup> His position was such, that the Romans had the land in their rear, and could derive no advantage from their superiority in numbers. His own position was very dangerous;

but he knew that he would be lost, if he did not win the battle. The Romans placed their cavalry on the two wings: Hannibal did the same, but in such a way, that one wing was occupied by his light, and the other by his heavy cavalry. The Romans had 80,000 foot, and from 6000 to 8000 horse, there being among the latter about 2500 Romans. The Carthaginians had 40,000 foot, and about 8000 horse, for the most part Numidians, who were excellent for foraging, reconnoitering, and harassing the enemy, but could not stand a shock in battle, nor be used at all against heavy cavalry, but at best only against light infantry. The Romans left 10,000 men behind in their camp, and advanced against the enemy with only 70,000, from which, however, must be deducted the large number of those who always remain behind, either from illness or other causes. The Roman cavalry stood on the right wing, and that of the allies on the left. Hannibal had no elephants; he placed his best cavalry on the left wing, to face that of the Romans, and the Numidians and Libyans on the right wing, while to the right wing he added Celts and Spaniards. Some Libyans and Celts also were placed in the centre. The space was too small for the whole of the Roman army, and they were accordingly drawn up unusually deep, several maniples being placed behind one another. The battle was opened by an attack of the left wing of the Carthaginians upon the Roman horse, which, though fighting bravely, was soon thrown back, as, in fact, the whole battle lasted only a short time: it began two hours after sun-rise, and was finished two hours before sun-set. The Numidians were



a. Passage of the Romans.

b. Passage of the Carthaginians.

c. Battle array of the Carthaginians.

d. Battle array of the Romans.



at the same time engaged on the right wing against the cavalry of the allies. Hannibal now divided his line in the middle, ordering part to advance with their right shoulders, and the other with their left, so that they formed a wedge against the Roman centre. This was an application of what is called the oblique battle line, which became so fatal in the Seven Years' War near Collin; in this manoeuvre, one of the extreme points of the line remains immovable while the other advances. Hannibal made the experiment with two lines. The Romans advanced, the battle was very bloody, the Carthaginian troops could not penetrate, and retreated through the two wings. As the Romans followed them, the two wings made half a turn, and attacked the flanks of the Romans. At the same time, the cavalry of the left wing of the Carthaginians went round the Romans, and joined with the Numidians, routed the cavalry of the Roman left wing, so that now they could freely attack the Roman infantry in its rear. Aemilius Paullus was mortally wounded; in the immense confusion there was no possibility of giving or obeying orders; and two hours before sunset the whole of the Roman army was destroyed. The losses are stated differently: Polybius, contrary to his usual practice, gives the largest numbers, stating that out of 80,000, 50,000 were killed, so that only 30,000 survived; but the statement of Livy appears to be more correct.<sup>19</sup> The survivors consisted not only of those who had remained behind in the fortified camp, but at least 8,000 escaped from the field of battle, so that the Romans must have lost about 40,000 men. I must here notice a curious circumstance, which is mentioned by Appian and Zonaras,<sup>20</sup> and was probably derived from Fabius—in that part of Apulia, it is said, a sea-breeze rises every day at noon. This

is probable enough. The entire district is of a calcareous nature, and in summer the whole of Apulia is covered with clouds of dust. But in this case it is added, that on the day before the battle, Hannibal had ordered the fields to be ploughed, and that he took such a position that the wind, blowing towards the Romans, carried the clouds of dust into their faces, so that they were unable to fight. I readily believe that Hannibal may have availed himself of the wind; but the rest sounds rather marvellous, and is perhaps nothing more than one of those fictions by which a conquered party endeavours to cover its own disgrace. Another story relates, that Hannibal allowed a number of Spaniards with concealed daggers to go to the Romans, as if they were deserters; they were placed by the Romans in the rear of the army, and afterwards fell upon them. This wretched tale is quite childish.

On the day after the battle the surviving Romans of both camps capitulated, but Varro, with a small detachment of 70 men, threw himself into Canusium, where all those who had escaped reassembled, and with them he went to Venusia. The camp surrendered, on condition that Hannibal should enter into negotiations with Rome concerning the ransom of the prisoners, as had been done in the first Punic war, when the captives were always exchanged, and the party which had the greater number received a sum of money as a compensation. Hannibal, who, as I have already remarked, had an aversion to sieges, was unconcerned about the Romans at Canusium, and marched towards Capua, with which town he had already commenced negotiations. This must have been sooner after the battle than Livy represents it: Hannibal cannot have deferred it, for there is yet an immense number of events, all of which belong to this year.

It is a very well known story related by Cato,<sup>21</sup> that immediately after

<sup>19</sup> Livy, xxii. 49. Compare Polybius, iii. 117; Appian, *De Bello Annibal.* 25; Plutarch, *Fabius*, 16.

<sup>20</sup> Appian, *De Bello Annibal.* 20, foll.; Zonaras, ix. 1 foll. Comp. Livy, xxii. 46.

<sup>21</sup> Gellius, *Noct. Att.* x. 24. Compare Livy, xxii. 51; Plutarch, *Fab.* 17.

the battle, Maharbal,<sup>22</sup> the commander of the Carthaginian horse, requested Hannibal to send him to Rome, where, in five days, he promised to celebrate his victory by a banquet on the Capitol. Hannibal answered with a smile, that it was a fine idea, but impracticable; whereupon Maharbal replied, "Thou knowest, indeed, how to gain a victory, but not how to make use of it." We cannot, indeed, say how great the consternation and paralysis would have been at Rome, if the Carthaginian cavalry had made its appearance on the Via Latina, before the mournful tidings of the destruction of the Roman army had reached the capital; but no part of the army could have reached Rome in so short a time, except the cavalry, and even this not without the greatest difficulty, and without changing the horses on its road: for the distance between the field of battle and the city of Rome

was at least two hundred miles, even if we suppose the road to have formed a straight line. The only thing, however, which the Romans would have had to do against cavalry, in order to be safe, would have been simply to shut their gates. It is not impossible that Maharbal may have fancied Rome to be in a state of consternation, similar to that after the battle on the Allia: but, although there were in the city only recruits and soldiers destined for the navy, yet I can never believe that the Romans would have been so desponding as not to defend their walls; and though the defence would perhaps have been unavailing, it might at least have compelled Hannibal to lay encamped before Rome in the middle of August, which is the most unfavourable season. He might have ravaged the neighbourhood of the city, but this would have been useless; and if he had returned with his cavalry without having effected anything, it would have made the worst possible impression upon the Italicans,

<sup>22</sup> I believe we must pronounce *Maharbál*, and not *Mahárbal*.—N.

## LECTURE LXXV.

LIVY<sup>1</sup> and Polybius give lists of the Italian nations which deserted Rome after the battle of Cannae; and the fact is represented as if it had happened immediately after the battle. But this cannot have been the case: several of them continued to be faithful to Rome for a considerable time afterwards: and we see that the belief in the unshaken omnipotence of Rome was still very strong among them. Those which at once deserted Rome after its great defeat, were a portion of the Apulians, Samnites, and Lucanians; their example was afterwards followed by the Bruttians, and at a much later time by the Sallentines. None of the Greeks yet joined Hannibal. It was especially the fortresses of Cales, Fregellae, Interamnium, Casinum, Beneventum,

Luceria, Venusia, Brundisium, Paesum, and Aesernia, that exerted their influence upon the people far around them, so as to paralyse them and prevent their joining the Carthaginians.

Even before the battle of Cannae, Hannibal had entered into negotiations with Capua,—next to Rome the most flourishing city of Italy, but, in regard to moral power and political importance, quite the reverse of Rome. How soon he arrived at Capua cannot be said, the ancients usually giving no dates in such things; but it is certain that he became master of Capua in the year of the battle of Cannae much earlier than would appear from Livy's narrative. Campania was proverbial for its wealth, but its inhabitants were luxurious and effeminate in the highest degree: Capua stood to Rome in the very favourable relation of isopolity;

<sup>1</sup> xxii, 61, with the note of Glareanus.

and its great families thought themselves quite equal to those of Rome, and were connected with them, even with the Claudii, by intermarriages.<sup>2</sup> They entertained the hope that the fall of Rome would transfer the supreme power to Capua; but this was manifestly absurd; for why should the nations of Italy have cast off the yoke of Rome to become subjects of Capua? Hannibal, however, supported their dreams, though without making any promises to them. When, therefore, he appeared in Campania, everything was prepared. The Romans had small garrisons in all other places, but at Capua there was none, and the only thing which made the inhabitants of Capua hesitate was the circumstance, that 300 of the noblest Campanians, who formed the cavalry belonging to the Campanian legion, were still engaged in the service of Rome, and had been sent to Sicily, where they were kept, so to speak, as hostages to insure the loyalty of Capua. Livy's account of the manner in which Hannibal established himself in the city, of the repast and of the attempt to murder him, is exquisitely beautiful, but is no doubt a romance. The story of Decius Magius, the only man at Capua who recommended the people to remain faithful to Rome,<sup>3</sup> seems to have some real foundation, however much it may be embellished; and it may be doubted whether Hannibal exiled him as a friend of the Romans. The apostasy of Capua was the most glaring ingratitude, and it is only natural that the Romans could not forgive it: for no kind of ingratitude is so mortifying as the assumptions of unworthy men, when they become refractory, and wish to occupy places which are filled by others worthier than themselves. The Campanians had derived advantages from their connection with Rome, and now they were not merely ungrateful, but displayed a useless barbarity by putting the Romans to death in hot bath rooms. Capua concluded a very favourable treaty with Hannibal, in

which no mention is made of any kind of Carthaginian supremacy; Hannibal on the contrary recognised their independence, did not claim the right of levying contributions among them, or of making them serve in his armies, and allowed them to select 300 from among the noblest of his Roman captives as a compensation for the 300 Campanian horsemen in Sicily; in short everything was avoided which had made the treaty with Pyrrhus disagreeable to the Tarentines. He also promised them, in the name of Carthage, that they should not be forgotten in any future peace. It is not known what became of those 300 noble Romans—whether the Campanians put them to death, or exchanged them for their own nobles; but I believe that they were exchanged, for at that time Rome was not so haughty as she had used to be.

The acquisition of Capua was a great gain to Hannibal. It may be taken for granted, that on his march into Campania the Hirpinians, Frentanians and Caudines had declared for him. Acerræ, which also enjoyed the right of isopolity with Rome, was taken after a long siege.

The taking of Capua forms the conclusion of the second period of the war. Hannibal had now reached the highest point of his glory. Whether it be true, that his winter quarters in the luxurious city of Capua destroyed the character and discipline of his army, or whether this statement be a mere rhetorical declamation, is a point concerning which I think it preferable to be silent. This much however is certain, that when, after extraordinary exertions, men betake themselves to rest, they lose their disposition for great and energetic activity, and sometimes never acquire it again. This is a dangerous epoch in the lives of many, and it may have been so to Hannibal and his army. But there is another circumstance which is usually overlooked, namely, that he could not recruit his army either from Africa, or from Spain or Gaul. Every battle cost him a number of men; his being in the heart of a foreign country ren-

<sup>2</sup> Compare vol. iii. p. 109, foll. and p. 291.

<sup>3</sup> Livy, xxiii. 7.

dered a constant succession of little skirmishes unavoidable; many also must have perished by diseases, and the greatest loss is always that which is sustained in a foreign land. When Hannibal descended from the Alps, he had only 20,000 foot and 6000 horse; since then he had fought three great battles, and had not received a single man to reinforce his army. He had no choice but to recruit his forces by Italicans. We know that he drew soldiers from Bruttium, and we may suppose that he strengthened himself by levies in other parts also. He was in the same situation as Napoleon in Russia after the battle of Borodino, when the offered peace was not accepted. He had indeed been joined by a part of southern Italy, but all the Latin colonies throughout that country remained faithful, and were not to be conquered. He was master of a country containing a number of hostile fortresses: if he wished to advance through Campania, he had to conquer or break through a whole series of fortified colonies, and to conquer the Latin and Hernican towns in the neighbourhood of Rome. The people favouring Hannibal could do nothing but blockade these towns, and could furnish him with no reinforcements. He calculated upon assistance from Carthage and Spain. The year after the battle of Cannae, or even later, he received from the former reinforcements and elephants; the exact numbers are not mentioned, but they must have been considerable, as is stated by Zonaras (from Dion Cassius).<sup>4</sup> At the end of the war, only a few of the veterans who had crossed the Alps sur-

vived. All this is sufficient to account for the fact, that the character of his soldiers was afterwards inferior to that of the army with which he had begun the war.<sup>5</sup> Whatever injurious influence, therefore, the stay at Capua may have had on the army of Hannibal, the above-mentioned circumstances alone would satisfactorily account for its state of dissolution. If financial exhaustion had had that decided influence in ancient as in modern times, the Romans would have been completely paralysed, but they made all possible efforts, and thus it happened, that through the battle of Cannae they lost only those districts which surrendered to the enemy, while in regard to the others they were in no danger. The Marsians, Marrucinians, Sabines, Umbrians, Etruscans, Picentians, and others remained faithful to them.

Hannibal's object in Campania was to obtain possession of a seaport, to enable him to communicate with Carthage; but the attempts against Cumae, Naples, and Nola were unsuccessful, and, near the last of these places, the Carthaginians were repulsed with some loss by Marcellus. Livy<sup>6</sup> does not seem to think that this loss was very considerable, and it may certainly have been somewhat exaggerated by other writers, as it was the first advantage which the Romans gained after many defeats. It was, however, at any rate of great importance to them that Hannibal did not succeed in his attempts to obtain possession of Cumae and Naples; for if he had been successful, he would have had a place of arms and of communication with Carthage, from which he might have derived incalculable advantages. But he was now in the strangest position: he had, in reality, not a single sea-port town; and although he was the general of a maritime state, yet he was in the midst of a foreign country, and shut out from

<sup>4</sup> Livy, xxiii. 13, relates (probably after Coelius Antipater) that the senate of Carthage decreed in the very year of the battle of Cannae, to send reinforcements to Hannibal; and he adds, that the decree was carried into effect with that slowness which is common in prosperous circumstances, as if the Carthaginians had looked upon Hannibal's whole enterprise as senseless. These considerations might, indeed, have delayed the arrival of the reinforcements till the year after; but elephants are mentioned in the camp of Hannibal even before he took up his winter quarters.—N. Livy, xxiii. 18.

<sup>5</sup> The Prussian army of 1762 was infinitely inferior to that of 1757; and those who have seen the French armies must own, that the one of 1807 was incomparably better than that of 1812, during the campaign to Russia.—N.

<sup>6</sup> xxiii. 16.



the sea. Marcellus showed great skill as a general, and revived the confidence of the Romans. The Brutians, after revolting from Rome, succeeded in gaining possession of Locri, the first Greek town that declared for Hannibal. Croton was taken by force, and this brought about the complete ruin of that once populous and flourishing city; only the central part of it was inhabited, as is the case at present with Leyden, and still more so with Pisa, so that the deserted walls could be easily stormed. Any attempt to defend the town was impossible, for the number of its inhabitants had been greatly reduced by the repeated devastations of Dionysius, Agathocles, and the Romans under Rufinus in the war against Pyrrhus.

I shall relate very briefly the history of the period from the taking of Capua in 537, down to its recovery in the year 541. The Romans now made almost incredible exertions. Their legions were thenceforth constantly increased. Allies are no longer mentioned; the best among them had deserted Rome, but it is highly probable that in this year they were incorporated with the legions for the whole duration of the war, in order that they might not stand isolated. This is, however, a mere conjecture of mine, which I do not mean to give as an historical fact; it may be merely a plausible error, but until evidence to the contrary is produced, I must take it to be correct. Instead of confining themselves, after such losses, to operations on a smaller scale, the Romans conceived the great idea of multiplying everything. They were obliged to create a new army, and with it to meet the Carthaginians, who were accustomed to victory. They refused to ransom those who had been taken prisoners at Cannae;<sup>7</sup> but whether this measure was wise and just, and whether the prisoners were worth being ransomed, are points about which a great many things might be said. The awful consequence, however, was, that Hannibal sold them all as slaves, and that

they were scattered over the whole world. Many must have made away with themselves. The actions of those who act as members of a great body of men, must not be judged with the same severity as those of single and independent persons, for the former are obliged to give up their own individuality. I have known persons who, at a moment of consternation and bewilderment, acted in a similar manner, although they were perfectly incapable of doing the same thing either before or after such an occasion. We have, moreover, to consider whether Hannibal did not perhaps demand ready money, which the Romans were not in a condition to pay. But even those who survived the day of Cannae, without having been taken prisoners, were treated as cowards, with unfair bitterness and contempt;<sup>8</sup> just as the unfortunate Admiral Byng was shot by the English, in order to establish a maxim. All the young men were enlisted, and as a sufficient number of young freemen could not be found (many undoubtedly endeavoured to avoid entering the service out of despondency), all those who were unable to pay a *delictum*, as well as all *addicti*, were set free under the guarantee of the state; 8000 slaves were bought on credit of their masters, and formed into two regiments;<sup>9</sup> nay, even gladiators were enlisted with their arms, for arms too were wanting. The Marsians, Marrucinians, Vestinians, Frentanians, Pelignians, and Picentians, were the only tribes among the warlike people of Italy that still sided with Rome. Its greatest strength consisted in the many Latin colonies extending from Bruttium to the Po. Such were the resources of Rome, and in spite of Livy's description, it is perfectly clear that the distress must have been very great. He describes the wealthy private individuals who advanced money to the state as excellent patriots, although it is known on good authority that they exacted the most disgraceful

<sup>7</sup> Livy, xxii. 59, foll. ; Polybius, vi. 58.

<sup>8</sup> Livy, xxiii. 31 ; xxv. 6.

<sup>9</sup> Livy, xxiv. 11.

usury: the contractors got the transports with provisions for Spain insured against the dangers of the sea, and then contrived to get the ships loaded with the worst goods and wrecked. We can hardly form an idea of the distressed state of Rome: corn had risen to ten times the ordinary price, and the city was in a state of positive famine.<sup>10</sup> Lucania (with the exception of Petelia, which the Carthaginians destroyed as a punishment for its fidelity), Bruttium, the greater part of Samnium, and many of the Greek towns of Italy, threw themselves into the arms of Hannibal;<sup>11</sup> and it is surprising that, under these circumstances, he not only gained no lasting advantages, but that, from this time forward, the Romans continually acquired new strength. Their troops became gradually trained, as Hannibal did not fight any great battles, and left them time to drill them. The Romans thus created an army which was certainly better than the one they had had before the battle of Cannæ.

As early as the year 539, the Romans gained a decided ascendancy in Campania. Hannibal was opposed by Q. Fabius Maximus and Marcellus, and he is reported to have said at the time, that he respected Fabius as his tutor, but Marcellus as his rival; that Fabius prevented his committing any mistake, and that Marcellus gave him exercise for the development of his own powers.<sup>12</sup> This is not a mere rhetorical phrase. The Campanians were cowards; they took the field only in the neighbourhood of Cumæ, but were defeated, and allowed themselves to be shut up like sheep in a fold. Hannibal made several attempts to relieve them; one Carthaginian army, under the command of Hanno, advanced as far as Beneventum, but was beaten there by Tib. Sempronius Gracchus and his slaves (*volones*), whose bravery was afterwards rewarded with freedom.<sup>13</sup> In the following year, the

Romans recovered Arpi, and in this manner they gained back many small places one after another. These petty undertakings, accompanied sometimes by successful, sometimes by unsuccessful engagements, fill up this period down to 540, when Tarentum surrendered to Hannibal. The revolt of Metapontum and Thurii from Rome, is quite justifiable on moral grounds. These towns had given hostages to the Romans; the hostages made their escape, but having been retaken, the Romans put them to death indiscriminately. As in this manner many a one had lost a son or a brother, and the most distinguished families were injured, those towns, naturally seeking revenge, surrendered to Hannibal. But the citadel of Tarentum remained in the hands of the Romans, and thither the garrison of Metapontum repaired. I do not understand why Hannibal, who had in the meanwhile received reinforcements from Carthage, did not exert all his powers to relieve Capua, which was blockaded by the Romans with double entrenchments. It is true the communication with the city was extremely difficult, but Hannibal ought to have stormed the entrenchments; this neglect is almost unaccountable to me. It is possible, however, that the negotiations with Philip of Macedonia, which belong to this time, may have kept him in the east of Italy. He lingered in Apulia and Lucania, made some petty conquests, and endeavoured to keep in good humour the allies whom he had gained, for the Lucanians and the tribes in their neighbourhood were of a fickle disposition. The Romans, in the meantime, were making serious preparations to conquer Capua. Hanno was still operating in that district, but the Romans had already been established near Suessula for the last two years, ravaging the whole country, so that famine had been raging at Capua for some time. At last, however, in 541, at the most urgent request of the Campanians, Hannibal made an attempt, the real meaning of which history is at a loss how to explain. There are many contradictions in the accounts of this undertaking; if

<sup>10</sup> Polybius, ix. 44.

<sup>11</sup> Livy, xxiii. 30; Polybius, vii. 1.

<sup>12</sup> Plutarch, *Marcellus*, c. 9.

<sup>13</sup> Livy, xxiv. 14, foll.

we follow the most unpretending account, Hannibal attacked the Romans without being able to break through their lines, only a few Numidians having forced their way and opened the communication with the town. But this could not be kept up, and Hannibal therefore determined to make a diversion. There are two accounts as to the road which Hannibal took; that of Coelius is the most improbable. For it is a disputed point whether he marched through the country of the Pelignians and appeared at the Colline gate from the north, and whether on his retreat he began his return at the Porta Capena, or the reverse. The former statement is most entitled to belief; the other implies too roundabout a way. Hannibal seems to have taken the Romans so much by surprise with this plan, that there was hardly time for half of the troops from Capua to reach Rome before him by the Via Appia, as he was a few days' march ahead of them; for he marched along the arc of which the Appian road forms the chord, that is across the Vulturinus, and through the territory of Cales towards Fregellae, which was very strongly fortified. The people of Fregellae had, with great circumspection, broken down the bridges over the Liris, and Hannibal was obliged to halt till they were restored, during which time he ravaged their country. He then advanced by the Latin road and Tusculum towards Rome; but found no favourable reception anywhere. The consul Fulvius, however, who had marched along the Via Appia, had arrived at the Porta Capena before him. When Hannibal was already on the Esquiliae, Fulvius arrived there at the right moment, through the town, across the Carinae; and by a sudden attack prevented Hannibal from taking the city by surprise. He had probably calculated that both armies would be recalled from Capua, which would have enabled him to relieve that city, and to introduce provisions, or to lead away its population. But it seems that the general, to whom he had left the command to effect this, was not fit for the

task. Hannibal was encamped near the Porta Collina, on a projection of Monte Pincio, opposite the low grounds of the gardens of Sallust, and he challenged the Romans to fight. Here our history again begins to be poetical. Hannibal marched out twice to offer battle to the Romans. They advanced towards him, but each time a thunder storm began at the same moment, and when the armies withdrew, the sky became bright again; so that Hannibal was convinced by these portenta, that he could not effect anything against Rome. Other stories sound very beautifully, but are likewise fables. It is said, for example, that the Romans sent reinforcements to their army in Spain about the time that Hannibal was at the gates of Rome, and that the field on which the enemy was encamped was sold at as high a price as if it had been a time of the most profound peace. It cannot have been the real object of Hannibal to fight a battle in that position; for he had in his rear absolutely nothing to back him. When he had been encamped before Rome for eight days, and the Roman allies far and wide did not stir, he broke up, and returned by Antrodoco and Sulmo into Samnium and Apulia, through the midst of hostile countries, where all towns were closed against him: he went like a lion pursued by hunters, but passed through unhurt. The object of his undertaking was thwarted. He who had great objects and great means was in the sad predicament of wanting the something which could accomplish these objects and render his means available, however trifling this something may have been. If his Italian allies, the Samnites, Lucanians, and Brutians, had, in the meanwhile, compelled the other consul to raise the siege of Capua, Hannibal would have gained his end; but he was always obliged to do everything himself.

Hiero died at the age of ninety, either in the year of the battle of Cannae, or the year after, and was succeeded by his grandson, Hieronymus. We find almost invariably in Greek dynasties, that the successors of

great men do not seem to know what use to make of the power bequeathed to them, except so far as their own enjoyment is concerned. Hieronymus was the son of Gelo, the son of Hiero; had Gelo been alive he would have followed quite a different line of policy,<sup>14</sup> for he enjoyed the same reputation for mildness as his father. Gelo had two or three daughters and a son, Hieronymus. Hiero's authority was rooted as firmly as if his dynasty had been on the throne for centuries; but Hieronymus, in the belief that, after the battle of Cannae, Rome would not raise her head again, thought that he might treat the Romans with disdain, although he had no wish to throw himself into the arms of the Carthaginians. He was a contemptible young man, without ability or experience, and fancied that, in the confusion of the war, he might make himself sole master of Sicily.<sup>15</sup> He intended to give up the alliance with Rome, and to negotiate with the Carthaginians. It is quite natural that the Syracusans did not like the Romans to be their real masters; but they could not avoid recognizing either the Carthaginians or the Romans, and the latter had, on the whole, treated them well. But it was a general fatality which induced all nations to revolt from Rome. Hannibal had behaved towards Sicily in the same manner as after the battle of lake Trasimenus towards the Italians. Syracusan prisoners had been dismissed by him with presents; and after the battle of Cannae he sent ambassadors to Syracuse to draw the king into an alliance. Among these ambassadors were Hippocrates and Epicydes, the grandsons of an exiled Syracusan who had settled at Carthage, a proof that such aliens at Carthage did not cease to be Greeks, although they sometimes had Carthaginian names, as we see from monuments. These ambassadors found Hieronymus willing to listen to them: their first proposal was to divide Sicily between Carthage and Syracuse, with the Himera for their

boundary, as in the time of Timoleon; Hieronymus, however, was not satisfied with this, but demanded the sovereignty of all Sicily as the reward for his alliance. Hannibal, who kept his own objects in view in such cases, made the concession without any scruple, on condition that Hieronymus should at once renounce his alliance with Rome, for he hoped to subdue him afterwards. This Hieronymus did; but he took no further steps. The Syracusans, who in Hiero's reign had never thought of a revolution, were exasperated by his grandson's ridiculous imitation of Eastern kings, and by the crimes of himself and his associates; a party accordingly was formed to restore the republic, and it was joined by all those who were in favour of Rome, and by all sensible men who considered the rule of the Carthaginians to be more detrimental than that of the Romans. The conspiracy was discovered, and one of the accomplices was put to death; those, however, who had been found out, would not betray their other associates. Hieronymus was thus unwarned when a numerous conspiracy carried out its design, and he was murdered on the road from Syracuse to Leontini, one of the most important places of his little kingdom.<sup>16</sup> After his death a republic was proclaimed, and a number of strategi were to be appointed, probably one for each phyle; the βουλὰ was allowed to continue, as even under the kings it had taken part in the administration of the state, which was in fact the case in all republics governed by tyrants. The question now was who were to be appointed strategi: the king's own brothers-in-law were elected among them, so that the revolution cannot have been very radical. It was not yet decided, whether the alliance with Carthage should be kept up. The Roman praetor, Appius Claudius, was negotiating with that object, and the citizens of Syracuse hesitated very much about breaking it; but the two ambassadors of Hannibal contrived to be elected among the strategi, and

<sup>14</sup> Polybius, vii. 8.

<sup>15</sup> Livy, xxiv. 6; Polybius, vii. 4.

<sup>16</sup> Livy, xxiv. 7; Polybius, vii. 6.



exerted all their influence to disturb the negotiations. The whole account of these transactions is extremely complicated; but Livy took it from Polybius, and it is therefore authentic. There had repeatedly been a prospect of peace being concluded, but at last the Carthaginian party brought about a revolution through the mercenaries, by which the government was placed in the hands of Hippocrates and Epicydes, and all the members of Hiero's family were butchered at the very altars of the gods. After these scenes of horror, Syracuse was in a state of anarchy: the name of the republic existed indeed, but those two men ruled by means of the mercenaries, and the unhappy Syracusans were only their tools. But on the other hand, the unpardonable cruelty of the Romans also exasperated the minds of all: the commonalty of Enna, which had been convened under a false pretence, was massacred on account of an apparent attempt at insurrection, so that far and wide all towns revolted to the Carthaginians, who now sent a considerable fleet under the command of Himilco, to Sicily. This measure was perhaps prudent, and in accordance with the wish of Hannibal himself, the object being to maintain their possession of the island, and to divide the forces of the Romans. This fleet kept open for a time the communication between Carthage and Syracuse, but the commanders proved themselves to be most unfit for their task.

M. Marcellus, who had acquired fame by his fight against Viridomarus and at Nola, now obtained the command of an army in Sicily, and enclosed Syracuse. The town could easily be enclosed on the land side, but the sea remained almost always open. This war lasted for two years (538—540); it is described as a blockade of Syracuse, but was probably conducted by the Romans in such a manner, that they made war upon the neighbouring country from two very strongly fortified camps. Himilco had made himself master of Agrigentum, and thence of a great number of Sicilian places, so that the whole semi-circle round Agri-

gentum belonged to the Carthaginians; it was only the western towns of Lilybaeum and Panormus, and the northern ones, Messana and Catana, that continued to remain faithful to the Romans. The Carthaginian army endeavoured to relieve Syracuse, and encamped in the neighbourhood; but the unhealthy atmosphere which has prevailed there ever since its foundation, and has at different times saved the city, destroyed the whole army, the commander himself and Hippocrates who had gone out to him being among the dead. Marcellus made various attempts against Syracuse: he attacked Achradina from the sea; but here all his endeavours were defeated by the mechanical talent of Archimedes. It is well known that there are many accounts about this subject, but that which is best established merely says, that Archimedes thwarted all attempts of the Romans to undermine the walls, and destroyed their *vineae* and the besieging engines on board their ships by means of his superior skill in mechanics. It seems less probable that he should have set fire to the Roman fleet by means of burning glasses: the silence of Livy and consequently that of Polybius, also are against the story. Marcellus would never have conquered the city, had he not accidentally perceived that a portion of the wall near the sea was ill fortified; and had he not at the same time learned from deserters that the citizens were celebrating a festival without apprehending any danger. Of this day he availed himself: he scaled the weak part of the wall, and thus the Romans took two quarters of the city, Tycha and Neapolis, and soon after Epipolae also, that is the part built on the heights: the greater part, however, viz., the old town (*Nāsoos*) and Achradina, the most prosperous quarter, were still unconquered; for Tycha and Neapolis were only suburbs and not even connected. Negotiations were now commenced: the Syracusans were strongly inclined to surrender, and Marcellus desired nothing so much; but the Roman deserters, in their fury and despair, were deter-

mined to defend themselves to the last, and they succeeded in misleading the mercenaries, and in inspiring them with their own madness. A massacre thus commenced, in which the most distinguished citizens were murdered, and those barbarians usurped the reins of government. The condition of Syracuse was now as horrible as that of Jerusalem during its siege, according to the description of Josephus. If the Romans could ever have publicly deviated from their principles, and granted a free departure to the deserters, Syracuse would have remained undestroyed; but although they did not ostensibly abandon their principles, they did it in another way, for in this war they had recourse to bribery and seduction of every kind, things which they had formerly disdained. Marcellus bribed Mericus, a Spanish commander of mercenaries, to surrender to him a part of Achradina; and this piece of treachery was contrived with such diabolical skill, that it completely succeeded: the garrison of Nasos was enticed to come out, under the pretence of defending itself, and Nasos as well as Achradina was taken. Syracuse was then the most splendid of all the Greek cities, for Athens had long since lost its splendour. Timaeus, who had lived in the latter city, and must have had a vivid recollection of it, acknowledged that Syracuse was the first and greatest of all.

The humanity and gentleness of Marcellus after the taking of Syracuse are generally spoken of as something quite extraordinary,<sup>17</sup> but from the *Excerpta Περὶ Γνωμῶν*, published by A. Mai,<sup>18</sup> we see this humanity in a

different light. The town was not set on fire, but thoroughly plundered, and those of its inhabitants who were not sold as slaves were driven out of the town into the open fields, where they tore up the grass from the earth to satisfy their hunger, or died of starvation, so that the free Syracusans had to envy the lot of slaves, and many of them pretended to be slaves, merely to obtain the means of satisfying their hunger. Everything in the city became the booty of the soldiers or of Rome; and Marcellus was the first who carried Greek works of art in large quantities to Rome. Livy's remark that this sad gain was no blessing to him is true, for in Livy's own time the temple of Virtus and Honor, which had been adorned with the spoils, was plundered by others. After the taking of Syracuse, the war in Sicily continued for two years longer, and ended with the taking of Agrigentum, which was treated still more cruelly, all free persons being sold as slaves. Agrigentum thus experienced three destructions, first under Dionysius, 140 years earlier in the first Punic war, and fifty years later a third time. Next to Syracuse it was the most splendid city in Sicily, but at last became the insignificant place which it still is. In 549, M. Valerius Laevinus, a humane Roman, again formed a community there. This victory over the Carthaginian army was likewise gained by treachery, Mutines, a Numidian captain, deserting with his troops, and being liberally rewarded by the Romans for it, as Mericus had been before. In the sixth year after the revolt of Hieronymus, all Sicily thus came again under the dominion of Rome.

<sup>17</sup> Livy, xxv. 40.

<sup>18</sup> Diodorus, *Excerpta Vaticana*, p. 68,

ed. L. Dindorf; compare *Excerpt. Vales.* p. 569.

## LECTURE LXXVI.

THE taking of Syracuse and the treatment which its inhabitants experienced; shew how little the wars of the ancients can be compared with those of modern times, and how grateful we may be that the principles of war are so much altered for the better.<sup>1</sup> Another example of the same cruelty was exhibited at the taking of Capua, which occurred in the same year as that of Syracuse, A.U. 541. Cicero<sup>2</sup> seems to think it a wise clemency that the Romans did not destroy Capua, but they raged against its inhabitants with all imaginable fury. The distress in that city had reached its highest point, and it was ready to capitulate; but the Romans demanded its surrender at discretion. The heads of the party hostile to the Romans, Vibius Virrius and twenty-seven other senators then resolved to die; and the event indeed shewed that they were wise in so doing; for the Romans acted with the most heartless cruelty. The whole senate of Capua was led in chains to Teanum, and the pro-consul Q. Fulvius Flaccus would not even leave the decision of their fate to the Roman senate. The proconsul Appius Claudius, to whom alone with Flaccus the city had been surrendered, wished to save as many as possible, and had requested the senate to institute a *causae cognitio*; but Flaccus, who suspected this, went to Teanum, and ordered all the senators of Capua to be put to death, without opening the letters he had received from the senate. Jubellius Taurea, the bravest of the Campanians, whose heroism was acknowledged even by the Romans, killed his wife and children, but himself awaited his fate at the hands of the Romans. When the gates were opened, the inhabitants suffered everything that can

be inflicted by an army of enraged soldiers, who were, in truth, no better than demons. The town was not destroyed, but all Campanian citizens were compelled to quit it. Most of them went to Etruria; many also were put to death as guilty, and even though guiltless were deprived of their property. Only freedmen and slaves were allowed to remain and inhabit the place.<sup>3</sup> The town thus received quite a different population; and its whole territory with the houses it contained was confiscated by the Romans.<sup>4</sup> The town afterwards gradually filled again with a new population of Roman citizens and others; and a Roman prefect was sent thither to administer justice. Atella and Acerrae, the perioeci of Capua, experienced the same fate; and from one of these Campanian towns the whole population emigrated to Hannibal.

The period from 541 to 545 is enlivened by battles in which Hannibal on the whole always gained advantages. Ever since the tenth year of the war, he had been in possession of the greater part of Apulia, Samnium, Lucania, and of the whole of Brutium; and during the 10th, 11th and 12th years, the latter country was the seat of the war. Hannibal defeated the proconsul Cn. Fulvius near Herdonia,<sup>5</sup> and from an ambuscade he fell upon the consuls M. Marcellus and T. Quinctius Crispinus. Marcellus was slain, and Crispinus died afterwards in consequence of his wounds.<sup>6</sup> Hannibal gained possession of the towns of Arpi and Salapia, but both were re-conquered by the Romans: he took Tarentum after a long siege of three years, the issue of which was, for a time, very doubtful, and during which he displayed the whole great-

<sup>1</sup> The last really horrible war in modern times, was the destruction of the Palatinate under Louis XIV.—N.

<sup>2</sup> *De Leg. Agr.* i. 6.

<sup>3</sup> Livy, xxvi. 16.

<sup>4</sup> Livy, xxviii. 46.

<sup>5</sup> Livy, xxvii. 1.

<sup>6</sup> Livy, xxvii. 27; Polybius, x. 32.

ness of his mind. All the Greek towns in southern Italy had now joined him; but Tarentum, which had been treacherously surrendered to him, was afterwards delivered up to the Romans by the treacherous governor of the Bruttian garrison, whom he had entrusted with the command of it. The city was treated as if had been taken by the sword, and all its treasures were carried to Rome. Thenceforth Tarentum was a deserted place, until C. Gracchus sent a colony to it.

Let us now turn our attention to Spain. At the beginning of the war the Romans may have thought that the Carthaginians, after the brilliant successes of Hannibal, would send army upon army from Spain to reinforce him; and although the Romans themselves were in the most difficult circumstances, they sent out an army under the brothers Publius and Cneius Scipio,<sup>7</sup> not to protect their own small possessions in Spain, but to prevent the Carthaginians from sending new armies into Italy. They arrived in Spain in the year 535, the second of the war, established themselves in the neighbourhood of Tarragona, and thence harassed the Carthaginians. After the battle of Cannae, the Carthaginians wished Hasdrubal to march into Italy, but he was prevented by the Scipios. The Spaniards were a strange people: they always hated their rulers, whether they were Carthaginians or Romans; and they now began to side with the Romans, seeing that they were used only as tools by the Carthaginians to furnish numerous armies and the expenses of the war, although at first their government had been truly popular. The manner in which the war was carried on cannot be distinctly seen in the narrative of Livy. It seems surprising, but cannot be doubted, that the Romans advanced into Andalusia as far as Cordova (for Illiturgis is probably the place of this name near Cordova, not the other). How they

could venture to penetrate so far is quite unaccountable. This war in Spain deserves the less to be minutely described, as, owing to the great distance of the scene of war, all accounts of it differed, according to Livy, who is here our only guide, most widely one from another, and were very far from being trustworthy.<sup>8</sup> We cannot even say with certainty how long the two Scipios (the *duo fulmina belli*, in Lucretius, and others) carried on this war. Livy mentions the eighth year. If he begins his calculation with the arrival of the Scipios in Spain, this does not agree with the year in which he relates their death. But I am very much inclined to believe that they died in 542, for otherwise there would be a gap, and Hasdrubal's expedition from Spain would fall too early.

The Carthaginians had increased their troops, and formed a considerable army, which Hasdrubal was to lead into Italy; they had divided it into three parts, which, by skilful manoeuvres, separated the two armies of the Scipios, and gained two victories over them. In the first, Publius fell by the faithlessness of the Celtiberians, who served in the Roman army, and who allowed themselves to be bribed by the Carthaginians.<sup>9</sup> Thirty days afterwards Cneius also fell. The Romans lost by these defeats all their possessions west of the Iberus; but if we trust to the account given by Livy, who did not himself really believe it, the progress of the enemy was checked by the eques, L. Marcius, who is said to have assembled the

<sup>8</sup> Livy, xxv. 39; xxvi. 49. Compare xxvii. 7. (Even the death of Marcellus is related in three different ways.—N.)—See Livy, xxvii. 27.

<sup>9</sup> Polybius, x. 6; Livy, xxv. 35; Appian, *Hispan.* 14—16. These Celtiberians had many of the peculiarities which distinguish the barbarous nations of early times. The same features are found among the Vandals and the Goths, who were anything but faithful. Faithfulness is not a characteristic of barbarians; and the more civilised men are, the more faithful do they become. The ancient Germans were as faithless as the modern Albanese, who will do anything for money. Such also was the character of the Celtiberians, notwithstanding their great heroism in other respects.—N.

<sup>7</sup> The name of the *duo fulmina belli* seems to have been transferred from Hamilcar Barca to the Scipios.—N.



surviving Romans, and to have completely defeated the Carthaginians. The senator, Acilius, who described this victory in Greek, had said that on that occasion the Carthaginians lost 30,000 men and their whole camp. Livy himself, however, seems to agree rather with Piso, in believing that Marcius only collected the surviving Romans, and repelled the attacks of the Carthaginians upon the camp. The advantage, however, which Hasdrubal derived from his victory was that it afforded him the means for his expedition into Italy. Whether Spain in his absence would remain faithful to the Carthaginians or not, was to him a matter of indifference, for he thought that it would be easy to re-conquer it after having gained possession of Italy. The Romans, on the other hand, were determined not to give up Spain. Their army, with the exception of the remnant at Taraco, was destroyed; reinforcements were therefore sent under C. Claudius Nero, but could effect nothing, except that they maintained a somewhat more extensive district east of the Iberus, and detained Hasdrubal. Accordingly, as both consuls were engaged in Italy, it was resolved to send a pro-consular army to Spain. The *comitia centuriata* were held as for the election of consuls. No one, however, presented himself to undertake the command until Publius Scipio, the son of Publius Scipio who had fallen in Spain, came forward and offered to go. He is said to have warded off a fatal stroke aimed at his father in the battle on the Ticinus; but if we consider that he was not more than twenty-four years old when he went to Spain,<sup>10</sup> it seems impossible that he should have done what is ascribed to him as early as the battle on the Ticinus. After the battle of Cannae, he is said to have compelled the noble young Romans, who, in their despair, wanted to quit the city and emigrate to Macedonia, to swear upon his sword not to go away. As there was no

other choice, he obtained the votes of the people, although many objected because he was too young, and, in their superstition, considered it an evil omen that he was yet in mourning for his father. Scipio was called by his contemporaries the Great, a designation which has unjustly fallen into disuse, for no man in Roman history can be preferred to him. His personal character was eminently great; he was not only a great general, but a man of high education; and he understood the Greek language so well that he wrote his memoirs in it. There is one point in his character which has led many to the belief that he was an impostor: he was accustomed to go early in the morning into the sanctuary of Jupiter on the Capitol, and to remain there alone for some time, pretending that he had interviews with the gods. His pretension to prophetic powers, which, in some instances, seemed to be justified by what actually took place, gained him the confidence of all. Sometimes he would say that he had heard a voice promising him victory; sometimes he related to his soldiers that within three days he would take the enemy's camp with all its stores; and the event verified his prediction. Similar things are related of Mohammed and Cromwell; and some persons believe that these men were under the influence of a supernatural inspiration, while others regard them as mere hypocrites; but I think that we are justified in supposing that there was a mixture of both: the truth is known to God alone. Scipio was very popular, and was supplied with all that was necessary for his great undertaking.

The first period of his stay in Spain passed away amid preparations at Taragona, and probably lasted longer than is stated by Livy. The year in which New Carthage was taken is uncertain, as Livy<sup>11</sup> himself confesses; but I believe that it was the year 546, for otherwise it would be hardly conceivable how the Romans could have taken the town, considering that their possessions were confined to the small

<sup>10</sup> Livy, xxvi. 18; Appian, *De Reb. Hisp.* 18. But Polybius, x. 6, says Ἔτος ἰβηρικῶν ἔχων πρὸς τοῖς ἱμασσοῖς.

<sup>11</sup> xxvii.

coast of Valencia, and that there were three Carthaginian armies in Spain. The event, however, shows that it *was* possible. The historians probably thought that it was inglorious for Scipio to remain inactive so long. Hasdrubal had gained the Celtiberians as free allies, and among them he levied an army for his expedition to Italy. Besides Hasdrubal, there were in Spain, Hasdrubal, the son of Gisgo, and Mago, the brother of Hannibal. Scipio led his army to Carthago Nova before the Carthaginians suspected it. Respecting the detail of the events of this campaign and its duration, it is impossible to arrive at any certain results. Carthago Nova was a small town, as, in fact, most towns in Southern France, Italy, and even in Spain, were smaller in ancient times than they are now; it was almost exclusively a military place; but during its short existence it had become of great importance, and had a numerous Punic population.<sup>12</sup> It contained arsenals and ship-wharves, and was strongly fortified with high walls. To take such a place was almost an impossibility, and became possible only because it had not been expected, the Carthaginians taking no pains to relieve the town. It was situated on a peninsula, and Scipio must have had information about its weak points. He first made a powerful attack upon its walls from the land side, but was repelled with great loss. On the northern side of the peninsula there was a marshy district, which, when the tide came in, was always under water, but did not belong to the harbour.<sup>13</sup> The existence of that district was not unknown to Scipio, and after having sent some men with fishing-boats to reconnoitre, and having heard that it was possible to ford the district, he renewed his attack from the land side; and while the inhabitants were defending themselves here, a detachment of the Romans entered the town from the marsh, not far from the low wall,

which was scaled with ladders, and they took possession of one of the gates; the town was thus taken by storm. This was an irreparable loss to the Carthaginians. It seems that Hasdrubal must at that time have been in the neighbourhood of the Pyrenees; but his whole care and attention were directed to his Italian expedition, and he imagined that the town could defend itself.

The number of his forces is not known, for Polybius is here wanting;<sup>14</sup> he did not take a large army from Spain, but, with an adroitness equal to that of his father and his brother, he formed connections of friendship with the Gauls, by whom he increased it. Livy expressly says that, since the passage of Hannibal across the Alps, many Carthaginian messengers had followed the same road in going to Hannibal in Apulia, and that in this manner they had become better acquainted with the Gallic tribes.<sup>15</sup> By an intercourse of twelve years those tribes had become convinced that the passage through their country was only a necessary means for an ulterior object, and that it was their interest to grant it on favourable conditions. Hasdrubal avoided the fault of his brother in breaking up too late. In the autumn his preparations were completed; and now he made a great round-about march. From a careful examination of the statements we have, it is clear that after a short engagement with Scipio, he marched from the country of the Celtiberians, not through Catalonia, but through Biscay, by way of the modern Bayonne, along the northern side of the Pyrenees, in order to deceive the Romans, and not to be detained by them. He took up his winter-quarters in the south of Gaul, perhaps in the neighbourhood of the modern Roussillon, whence he could continue his march in the beginning of spring. From Livy's account we see that at this time the

<sup>12</sup> Livy, xxvi. 42, foll.; Polybius, x. 11, foll.

<sup>13</sup> The tide does not rise as high here as in the ocean, but it is nevertheless of considerable importance.—N.

<sup>14</sup> According to Appian his forces consisted of 48,000 foot, 8,000 horse, and 15 elephants.

<sup>15</sup> Livy, xxvii. 39.

Arvernians had the supremacy in Gaul, and that, owing to their intercession, Hasdrubal met with no resistance to his progress. It is said that he marched in two months as far as his brother had in five.<sup>16</sup> This, however, must be understood of the distance between the Pyrenees—for there he had been in winter-quarters—and the Italian foot of the Alps, whereas his brother had set out from Carthago Nova.

The Romans, on hearing of Hasdrubal's movements, were greatly terrified, and made enormous exertions. Hannibal was, no doubt, informed of everything, but did not expect his brother so early, since Hasdrubal had set out on his march very much sooner than Hannibal had anticipated. Hannibal, in the course of years, had probably received more reinforcements than are mentioned by Livy; but his veterans had nearly all disappeared, and he had only Italicans, over whom, however, he had perfect control; he was therefore now obliged to carry on the war according to the Roman system. His present object was, by perpetual marches and counter-marches in Apulia, Lucania, and Bruttium, to draw the Romans from one point to another, as if he had been playing at chess with them; and in this he perfectly succeeded. Had Hasdrubal been like his brother, he would have made no delay; but he hoped to be able to gain possession of Placentia, which would serve him as a safe place of arms. It is almost inconceivable how this town, surrounded as it was by Gallic tribes, could maintain itself. In his unsuccessful siege of it, Hasdrubal lost a great deal of time, and it was particularly unfortunate that the letters which he sent to his brother fell into the hands of the Romans, who were thus made acquainted with his whole plan. The Romans kept Hannibal surrounded by three armies, none of which, however, had the courage to offer him battle: their main force was sent against the Gauls. Hasdrubal did not intend to march through Etruria, but along the Adriatic to-

wards the frontiers of Apulia, where his brother was stationed; he was opposed by the commander-in-chief, C. Claudius Nero. M. Livius Salinator had been sent to Rimini with the Volones and two legions of allies, in all six legions; but he retreated before Hasdrubal as far as Sena Gallica, and would have retreated as far as the Aternus in Picenum, had not Claudius, venturing on an undertaking which is one of the boldest and most romantic in history, hastened to his colleague, whom he met near Sena. Hannibal was certainly not uninformed of his brother's approach, as is incontrovertibly shown by his march to Larinum; but he was not in a position to storm the Roman camp. Hence Claudius could march to his colleague with the flower of his troops. Hasdrubal, who had been ready to attack Livius, perceived, by carefully observing the advancing Romans, that the condition of their horses, arms, and clothes betrayed a long march, that they were different from the troops of Livius, and that accordingly the latter had received reinforcements. During the night Hasdrubal's attention was excited by hearing the military music play twice, and he concluded from this circumstance that there must be two consuls, although the Romans had not endeavoured to deceive him, and had extended their camp. He therefore wished to make a round-about march: hitherto he had evidently followed the straight road along the Adriatic; he had crossed the Metaurus, and now wanted to recross it, and proceed towards its source, to march along the Apennines, and thus to evade the Romans, or to occupy a defensive position behind the river Metaurus; but his guides ran away, and he was unable to find the fords by which he had crossed the river. It is probable that there had been heavy rains, since otherwise the Metaurus might have been forded in any place without difficulty; for, in ordinary circumstances, the water at most reaches up to a man's breast. While he was thus marching along the banks, and was worn out by fatigue, he was

<sup>16</sup> Appian, *De Bell. Annib.* 52.

attacked by the Romans. The battle was conducted in a manner worthy of the son of Hamilcar and of the brother of Hannibal; the Iberians and Libyans fought like lions: but Rome's star demanded reparation for Cannae. Hasdrubal fell, and the greatest part of his army was cut to pieces, not the whole army, as Livy says. Those who escaped owed their safety only to the fact that the Romans were too fatigued to continue the pursuit. According to the account of Appian (from Polybius or Fabius), a part of the Celtiberians fought their way through to Hannibal, which is very credible, as it does not contribute to

the glory of the Romans, and is, therefore, not likely to have been invented by them. The surviving Gauls returned to their own country. This undertaking thus turned out a complete failure. The Roman army quickly returned, and Hannibal had not, in the mean time, ventured to undertake anything. Claudius ordered the head of the Barcine hero to be shown to the outposts of Hannibal, and thus the first news of the defeat was conveyed to him. This event closes the third period of the war.<sup>17</sup>

<sup>17</sup> Livy, xxvii. 460, foll.; Polybius, xi. 1, foll.: Appian, *De Bell. Annib.* 52.

## LECTURE LXXVII.

AFTER Hasdrubal had led his forces into Italy, the Carthaginians had still two armies in Spain, one under the command of Hasdrubal the son of Gisco, and the other under the command of Mago; but they were driven back as far as the shores of the Atlantic. Scipio, in that and the following year, continued the war against them; and it soon became evident that Hasdrubal, the Barcine, had been the soul of all the undertakings of the Carthaginians; for after a succession of battles, Hasdrubal the son of Gisco left Spain and went to Africa. At Gades, a city pretending to be equal to Carthage, though it was subject to her, a treacherous plot was formed to deliver up Mago to the Romans; but it was discovered and frustrated: the magistrates were enticed to come out, and were put to death.<sup>1</sup> But Mago now received orders to withdraw, and he accordingly embarked, and led the remainder of his forces to the Balearian islands, which seem to have refused obedience. He soon afterwards went to Liguria, endeavouring to establish a power there, with which he might support Hannibal, and attack the

Romans in Etruria; for this country, which had been faithful to Rome until then, began to shew somewhat of a refractory spirit, which alarmed the Romans with fear of a rebellion. When the nations of Spain perceived that they were given up by the Carthaginians, and that they were making their last efforts only to extort from them the means for carrying on the war in other quarters, they refused obedience, and endeavoured to expel the Carthaginians. The town of Gades, which was all the more exasperated on account of the severity shown towards it, abandoned the cause of Carthage for ever. A treaty was concluded with the Romans, which in some accounts is ascribed to an earlier date than the narrative of Livy allows us to suppose. But it is not improbable, that the tradition of an earlier treaty with the Romans may be a politic forgery of the Gaditans themselves, by which they ascribed to themselves the merit of having shewn a friendly disposition towards the Romans, even immediately after the arrival of Scipio. The Carthaginians were now completely driven out of Spain.

Scipio remained in that country during the years 545 and 546. But

<sup>1</sup> Livy, xxviii. 37.



the Romans could not look upon their possession of Spain as secure; for they offered to the nations which had calculated upon freedom nothing but their own dominion, which was perhaps even more oppressive than that of the Carthaginians, since the latter employed mercenaries, whereas the Romans only by way of exception took small Celtiberian bands into their service. The Romans, moreover, took vengeance on some towns which had violated their alliance with Rome, or had treated them cruelly. At this time there occurred some horrible events, the consequences of the fanaticism of bravery, which at times became a real madness. One of these occurrences is the defence of Illiturgis and Astapa, from the latter of which towns all men capable of bearing arms made a sally, and fought to the last, while those who remained behind murdered the women and children, and set fire to the town, in which they destroyed themselves.

While Scipio was engaged in regulating the province, which as yet was confined to Catalonia, Valencia, and Andalusia, an insurrection broke out among the Spaniards.<sup>2</sup> Few of the Spanish states were republics. Most of them were governed by princes: two of them, Mandonius and Indibilis, after a long connection with the Romans, had imbibed a fearful hatred of them. Here, too, we see the national character of the Spaniards, such as it has shown itself at all times, liable to sudden rage against foreigners, whom at all times they wanted to make use of only as instruments. These events are remarkable also in other respects, being the first traces of a sentiment which shows its full development at a much later period—I mean the tendency of the Italian allies to place themselves on an equality with the Romans. The accounts of these occurrences in our historians are not complete, and evidently do not explain the main point. Scipio was severely ill, and it was

reported that he was dead. An army of 8000 men was stationed at Sucro, consisting of Italian allies, and not, as Livy says, of Romans. These allies resolved to make themselves masters of Spain, and to establish an independent state. The first pretext of the rebellion was the arrears of their pay, which, although it was derived from their own funds, was yet paid to them more irregularly than to the Romans. They chose an Umbrian and a Latin of Cales for their leaders, and gave them the title and the ensigns of Roman consuls, a fact mentioned by Zonaras, but passed over by Livy. In general they began to feel their own importance, and saw that, although they were not inferior to the Romans in war, they were disregarded by them on all occasions. The two consuls undertook the command, and entered into an understanding with the two Spanish princes: in short, the affair was of a very serious nature. But when the report of Scipio's recovery arrived in their camp, they immediately lost their courage, and his personal character exercised such an influence, that they gave up all thoughts of an insurrection, and spoke only of reconciliation. The deep cunning of Scipio deceived them: he persuaded them that, in reality, justice was on their side, that he would give them their pay, either as a body, or to every one separately at New Carthage; and, in order to inspire them with full confidence, he sent the trusty garrison of Romans out of the town. The rebels, therefore, believing that they would find Scipio alone in it, came in a body; but the columns which were marching out received orders to halt at the gates. The leaders of the insurgents were invited to the houses of several distinguished Roman officers, and were arrested in the night: in the morning the others assembled in the market place without their arms, to receive their pay. The Roman garrison then returned in arms, and compelled the rebels to submit to the will of Scipio. He addressed them, explaining what punishment they deserved, but as he could not expect any

<sup>2</sup> Livy, xxviii. 24, foll.; Polybius, xi. 25, foll.; Appian, *De Reb. Hispan.* 35, foll.

advantage from excessive severity, he contented himself with putting to death thirty-five of the most guilty; the others received their pay and were pardoned. The continuation of the war against the Spaniards was easy; the two Spanish princes obtained pardon, on taking an oath that they would remain quiet.

These were Scipio's last actions in Spain; but, before he returned to Rome, he had ventured upon the romantic enterprise of paying a visit to Syphax, king of the Massaesyls, or Masasyls, who inhabited the eastern and part of the western portions of Algeria, and whose capital was Cirta.<sup>3</sup> Syphax was not tributary to Carthage, but in that state of dependence in which we always find the princes of a barbarous nation when connected with a very wealthy, civilised, and powerful neighbouring state. He served them for money, and acknowledged their supremacy without resistance; and, as has always been the case with the barbarians in those countries, he was sometimes quite the subject of Carthage, while at another time he revolted from her, and soon afterwards again became reconciled with her. When Hasdrubal was in Spain, Syphax was at war with Carthage, made overtures to the Romans in Spain, and requested the Scipios to send over some Roman officers, that he might learn from them the art of conducting war in the manner of the Romans. But peace was concluded with Carthage, and these transactions were not followed by any results,<sup>4</sup> Syphax remaining neutral. Scipio was now induced, by his invitation, to cross over to Africa, and to enter into an alliance with him; for Scipio had, from the first, entertained the very just opinion, that the Carthaginians ought to be attacked in Africa. At the court of Syphax, Scipio met at a banquet Hasdrubal, the son of Gisco, who had arrived there as ambassador

from Carthage. The conduct of Syphax towards the Romans had undoubtedly no other object than to prevent the Carthaginians becoming too powerful, and to obtain from them as much money as possible. Surely, we have every reason to wonder, that Scipio was not sold to the Carthaginians for some enormous sum.

Everything was now finished in Spain, and Scipio returned to Italy, where, however, he obtained no triumph, because he had not been invested with a curule office during the war; but all honours were shown to him. He was still pro-consul; he had been aedile,<sup>5</sup> but not praetor, and he now offered himself as a candidate for the consulship. The *lex annalis* was already in force, and he had not yet attained the age prescribed by the law. But all the restrictions of the *lex annalis* were wisely set aside for the time that the war lasted, and Scipio was made consul by the unanimous votes of all the centuries,<sup>6</sup> for no other person enjoyed such a degree of popularity. The nation longed to see the end of the war, and all expected that he would bring it about. That the Roman aristocrats did not want to put an end to the war, in order to be able to multiply the number of their consuls, is according to all appearance nothing but one of those foolish opinions by which the majority of people are so easily misled. I have myself heard persons express similar opinions. When Louis XVI. was executed, I heard very intelligent men say, that the emigrants had prevailed upon the Convention to pronounce the sentence, in order to call forth the general indignation of Europe against the republic. Absurd as this opinion was, we cannot wonder that a similar one became current among the Romans. Scipio was the idol of the people, but was opposed by the nobles of both orders, whose rallying point was old Fabius.<sup>7</sup> It was a party like that which, according to Livy, existed at Carthage against Hannibal; but we

<sup>3</sup> Livy, xxviii. 17, fol.; Polybius, vii. 19.—The geography of these districts under the dominion of Carthage is most obscure.—N.

<sup>4</sup> Livy, xxiv. 48.

<sup>5</sup> Livy, xxv. 2.

<sup>6</sup> Livy, xxviii. 38.

<sup>7</sup> Livy, xxviii. 40, foll.

must not be unfair towards it. Fabius was then, probably, about eighty years old, and was at the head of the aristocracy for several reasons; perhaps because, like every old man who sees his glory fading, he was inclined to look upon rising young men with unfavourable eyes. Scipio himself, also, may have appeared to the Romans as an inconceivable character, just because he was an extraordinary man; and many may have feared lest his success might make him rash and hazardous like Regulus, while others thought that he might be led to overturn the constitution. We may easily see that this suspicion was quite unfounded, so far as Scipio's personal character was concerned; but there is a passing remark<sup>8</sup> that it was intended to make him consul and censor for life. If this had been done, he would have been king, although it could not have been done peaceably under the circumstances of the time; but it shews that that mistrust was not without foundation. Hence the senate, which had to determine the amount of troops and supplies, formed a decided opposition: Scipio endeavoured to obtain Africa for his province, but they gave him Sicily without any other troops than those stationed in the island. They thus refused him the means of transferring the war to Africa; but the more the senate opposed him, the more vehemently did public opinion, not only in Rome but in all Italy, express itself in favour of Scipio. He was told that, with the forces in Sicily, he might go over to Africa, if he thought it useful to the republic.<sup>9</sup> But nothing at all could be done on such a condition; and he demanded permission to increase his forces at least by enlisting volunteers, who would be no burden to the senate. When persons praise the perseverance of the Roman senate during this war, its conduct towards Scipio, which nobody can think very

praiseworthy, ought not to be kept out of sight. The senate in this instance behaved in the same manner towards Scipio, as the senate of Carthage acted towards Hannibal. We can well understand, that the irritation produced by the nobles must have been the more provoking, in proportion to the enthusiasm which the other party shewed for Scipio. These disputes brought Rome nearly to the point of losing all the advantages which it had gained.

We now see Scipio's personal influence. Italy was visited by famine and epidemic diseases; and Rome herself was so much worn out that the voluntary exertions which were made on her behalf must excite our admiration. The towns of Etruria and Umbria made extraordinary efforts, although, in point of duty, they were bound to little or nothing at all; they had suffered less than Rome, which was quite exhausted, and the Romans had strictly kept to the letter of their treaties with those countries. They now exerted themselves, as if they had had to carry on a war for their own safety. A part of the Umbrians built a fleet; Arretium gave Scipio arms for 30,000 men, and also money and provisions; great numbers of men who had already served their time, as well as of young men, came from the Sabines, Marsians, Picentians, and other tribes, and offered to serve as volunteers in the army of Scipio. Thus a great army and a fleet were soon ready to follow him to Sicily, contrary to the expectations and wishes of the senate. He went to Sicily, and thence made an expedition against Locri, which town he took from Hannibal. On the whole, however, the year passed away without any important event, either because the Roman general forgot his duties under the beautiful Grecian sky of Sicily, and in his intercourse with the enlightened Greeks at Syracuse, or because he was occupied with preparations. It is not quite clear what kept him so long in Sicily. The expectations entertained of him were disappointed in the highest degree; it had been believed that he would cross over to Africa as soon as he had

<sup>8</sup> Livy, xxxviii. 56; Valer. Max. iv. 1, § 6; but according to both passages it was intended to make him consul and *dictator* for life.

<sup>9</sup> Livy, xxviii. 45.

finished his preparations ; and now it was reported that he lived quite like a Greek at Syracuse. Commissioners were therefore sent over to inquire into the state of affairs, and to depose him if the charges should be well founded ; but he made such an impression upon the commissioners that in their report they stated that he was by means wasting his time, but was engaged in completing his preparations.

Hannibal had foreseen the issue of the war immediately after the battle of Sena ; but he did not lose his courage, thinking it his duty to make the Romans insecure in their own country as long as possible. But he could not defend the extensive territory of southern Italy, and accordingly evacuated Apulia, Messapia, the country of the Hirpinians, and the greater part of Lucania, so that he was confined to its south-eastern part, and to Bruttium. There he remained during three campaigns with a perseverance which Livy himself could not help admiring : in that confinement he resembled a lion surrounded by hounds, and whoever attacked him there paid dearly for it. He was obliged to recruit and provide for his army, and at the same time to detain the Romans so as to prevent them going to Africa, while he himself lived among nations whom he reduced to despair by the most enormous demands upon them. Yet he succeeded in all this without exciting even a thought of insurrection or violence against him, notwithstanding his inability to pay or feed his army, which was suffering from famine and diseases. Croton was his head quarters and place of arms. In this way the war was continued, until the Carthaginians recalled him to Africa. The Romans were continually limiting his territory more and more, by taking one place after another.

In the year after his consulship, 548, his imperium having been prolonged, Scipio, as pro-consul, had assembled a considerable fleet, and sailed to Africa in 400 transports, escorted by 40 quinqueremes. Had the Carthaginians had their ships of war together, they ought to have frustrated Scipio's expedition ;

but this does not seem to have been the case, for otherwise their inactivity would be unaccountable. The ancients themselves did not know how many troops Scipio took with him ; but we may suppose that he had about 16,000 foot and several thousand horse. The timid party at Rome trembled, as they imagined that the last resources of the state were now going to be lost. In three days Scipio reached Africa, and landed in the neighbourhood of Utica, at a headland near the mouth of the river Bagradas, which, like nearly all the rivers flowing into the Mediterranean, has pushed its mouth forward, the ancient one having been blocked up by sand. Shaw, in his "Travels," has described the point very accurately ; it bore the name of Castra Cornelia<sup>10</sup> as long as the Roman empire existed, and may be recognised to this day. It was a barren headland, a sloping beach of gravel on to which the ships had to be drawn. Here Scipio encamped and fortified himself, making excursions in the neighbourhood.<sup>11</sup> Syphax had, in the meanwhile, been entirely gained over by the Carthaginians, having married Sophonis (in Hebrew, Zephania), or according to Livy, Sophonisbe, the daughter of Hasdrubal, Gisco's son. Scipio was met by three armies, one Carthaginian, under Hasdrubal, and two Numidian ones, under the command of Syphax and Masinissa. Masinissa, although a barbarian, has a great fame in history ; he was hereditary king of the Massylians, a people on the frontiers of modern Tunis, at the foot of the mountains ; he stood to Carthage in the relation of a vassal, and had served her in Spain, where he had formed connections with the Romans, to whom he was very favourably known, as connected with Scipio by ties of hospitality, as we see from Cicero's *Somnium Scipionis*, where he appears as a venerable old man. At Carthage he had received an education superior to that of other barbarians,<sup>12</sup> and in his later

<sup>10</sup> Cæsar, *De Bell. Civil.* ii. 24 ; Orosius, iv. 22.

<sup>11</sup> Livy, xxix. 28.

<sup>12</sup> Appian, *De Reb. Pub.* io.



years he must evidently have been conversant with the Greek or Latin language. His life was marked by great changes of fortune.<sup>13</sup> The African princes were thoroughly faithless ; and his fidelity towards the Romans, which was much praised, arose solely from the circumstance that it was his object to enrich himself at the expense of Carthage, and that he was supported in this by the Romans. According to the accounts of the Romans he was faithlessly treated by the Carthaginians ; but however this may be, this much is certain, that while he served under the Carthaginians in Spain, he had always kept up secret negotiations with the Romans. His son, who stood in different relations to Rome, conducted himself, during the third Punic war, in a manner which was injurious to the Romans. The romance that Masinissa was in love with Sophonis, and that she was nevertheless given in marriage to Syphax, was probably invented to excuse his faithlessness to Carthage. It seems that when he was in Spain he received money from the Romans, for he returned to Africa and revolted from Carthage. At the time of Scipio's arrival in Africa we find him again as the ally of the Carthaginians, and operating, together with Hasdrubal, against the Romans. Scipio, however, renewed his former connections with him, and Masinissa promised to desert the Carthaginians, but that, before taking that step only, he would procure the Romans some material advantages. This fraudulent conduct shews that, in a moral point of view, Masinissa was no better than a common barbarian : he was a base traitor, who deserves the hatred of every honest man. His whole life was an uninterrupted series of treacheries against Carthage. It was he who now led out the Carthaginians to an expedition which he had planned with Scipio.<sup>14</sup> Scipio lay in ambush, fell upon the Carthaginians, and Masinissa

went over to the Romans.<sup>15</sup> This was a serious loss for Carthage, for a great number of Carthaginian citizens were slain. The Carthaginian-general, who was taken prisoner, was exchanged for Masinissa's mother. Syphax, in the meantime, presumed to come forward as mediator between the Carthaginians and Romans, which of course led to nothing, as he proposed that every thing should remain *in statu quo*, and that Scipio and Hannibal were to withdraw from Italy and Africa. But the attempt was nevertheless useful to Scipio, who thereby obtained time to establish himself in Africa.

After this Scipio blockaded Utica, but without success. Syphax and Hasdrubal took the field against him : it is unknown whether their camps were open or fortified, though the former is more probable. They consisted of straw-huts and tents built of branches, which in the climate of Africa must have become as dry as touchwood.<sup>16</sup> Scipio suddenly attacked them by night, and showed the wretchedness of their military discipline. He succeeded in penetrating into the camps, which were set on fire ; and the conflagration produced such confusion, that the fugitives allowed themselves to be slaughtered like sheep. The two armies dispersed, and Syphax now abandoning the Carthaginians, withdrew to his own dominions : such is the general custom in the East, where all desert him who is deserted by fortune. Masinissa now came forth with claims to the throne of Syphax, and many Africans declared themselves in his favour. Masinissa even made a campaign against him, and Laelius completed the undertaking : Syphax was defeated and taken prisoner. Masinissa followed up his victory, and took possession of the capital of Cirta, afterwards and still called Constantina. Every one knows the tragic fate of Sophonis :<sup>17</sup> Masinissa found her at Cirta, and immediately married her,

<sup>13</sup> Livy, xxix. 29, foll.

<sup>14</sup> Appian, *De Reb. Puv.* 13 and 14.

<sup>15</sup> Livy, xxix. 34.

<sup>16</sup> Livy, xxx. 3 ; Polybius, xiv. 4.

<sup>17</sup> Livy, xxx. 12 and 15 ; Appian, *De Reb. Puv.* 27, foll. ; Diodor, *Fragm.* lib. xxvii.

without asking the consent of the Romans. But Scipio demanded that she, as a Carthaginian and an enemy of the Romans, should be given up; but Masinissa, to save her from such a fate, sent her poison, and she made away with herself. A part of the dominions of Syphax was given to his son;<sup>18</sup> he himself was sent to Italy, and adorned the triumph of Scipio; he died at an advanced age at Alba, in the country of the Marsians.<sup>19</sup>

Carthage was in the greatest difficulties. The people were convinced that their forces were insufficient: they were indeed successful in an attempt upon the Roman ships; but that was their only successful undertaking during the three years of the war in Africa. Hannibal and Hanno received orders to come to Africa. The report of this was no doubt agreeable to the Romans; but as it was uncertain whether it would be possible to transport the armies, the Carthaginians at the same time commenced negotiations for peace with Scipio. Here we see what injury the annual change of the magistrates might have done to the Roman republic. Scipio, who had now been proconsul for three years, may have thought, and with justice, that if he should be obliged to resign his command to the consul of the year following, Ti. Claudius Nero, his successor would reap the fruits of his labours—that this did not actually happen is surprising enough—and he therefore endeavoured to accelerate the end of the war. The conditions which he proposed to the Carthaginians were hard indeed, but yet tolerable in comparison with what were imposed afterwards, for the issue of the war with Hannibal was still very uncertain. He recognised the independence of Carthage, but demanded that the Carthaginians should confine themselves within the Punic canal,<sup>20</sup> surrender all

their ships with the exception of thirty, probably triremes, give up Spain, as they had before given up Sicily and Sardinia, and deliver up all Roman prisoners and deserters. Respecting the sums of money which were demanded of the Carthaginians to defray the expenses of the war, the accounts, as Livy says,<sup>21</sup> differed greatly: the fact that late Greek authors give us exact numbers—Appian mentions 1500 talents—proves nothing, for they are taken from the different statements, between which Livy does not venture to decide. A great quantity of corn also is mentioned. The ruling party at Carthage were determined to conclude peace on these terms; but the restless and mutinous population opposed the peace unconditionally and furiously, though they themselves were unwilling to shed their blood. They were in despair, declaring it a disgrace that after so long and glorious a struggle they should admit themselves conquered, especially as Hannibal, the idol of the people, was still in Italy. The government, however, succeeded in getting a truce concluded, during which ambassadors were sent with full powers to Rome, to obtain the sanction of the senate and people to the peace. There the peace was accepted on condition that Hannibal should quit Italy. When the ambassadors returned, and the Carthaginians at the same time heard that Hannibal was returning with forces sufficient again to take the field against Scipio, those people who had done least before, were now vexed that steps had been taken to conclude a peace. Such people generally appear in history in a false light: in this instance they were contemptible, if compared with the noble spirit of Hannibal. He recommended the peace, but the riotous and turbulent popular party at Carthage raved and stormed against it, trusting that the gods would come to their assistance. These were the sentiments of the majority. The peace had been agreed to on both sides, but it had not yet been confirmed by oath. In the meanwhile

<sup>18</sup> Appian, *l. c.* 33; Livy, xxx. 44.

<sup>19</sup> Livy, xxx. 45; Polybius, xvi. 23. There are several pedestals on which we read the name and history of Syphax: a proof that there must have been several statues of him, for the pedestals are unquestionably genuine.—N.

<sup>20</sup> Appian, *De Reb. Pun.* 32. This canal is unfortunately unknown.—N.

<sup>21</sup> xxx. 16.

there arrived a large convoy with provisions for Scipio, but while trying to land its cargo it was scattered by a storm, and as Carthage had long been suffering from famine, the restless party insisted on taking possession of it by force. They embarked in a tumultuous manner, and captured the Roman ships which had cast anchor in full reliance on the truce. When Scipio sent ambassadors to remonstrate against such proceedings, they were insulted, and the Carthaginian magistrates had great difficulty in getting them on board their ships in safety. But even here they were pursued and attacked, and some of them lost their lives. This was a violation of the law of nations, similar to the murder of the French ambassadors at Rastadt in 1799, when many persons believed that the government had given secret orders to murder them. But this was a mere conjecture, and can never be proved. All hopes of peace had now vanished, and the Carthaginian ambassadors received orders to quit Rome.

Mago, after leaving Spain, had landed at Genoa, which he took, and had tried to change Liguria into a Carthaginian province, just as the Romans in Spain had extended their sway from a single place. But his progress in the Apennines and Alps among the many small but obstinate native tribes was insignificant. He received, indeed, reinforcements and

money, but his resources at first were very small, though he continued to oblige the Romans to make efforts against him. On one occasion he defeated them in the country of the Insubrians, so that if he had not been recalled, he would certainly have placed them in great difficulties. He now embarked, but died of the wounds which he had received in that engagement. Hannibal, who had been strictly ordered to return, had in the meantime safely landed at Adrumetum, and had brought with him from Brutium all who could be induced to follow him: he left the country almost uninhabited. All the Italian and Roman deserters who were willing to serve under him were enlisted as soldiers—and they were men whom he could trust, for a peace with the Romans would have been death to them,—and it is not improbable that they had some influence in the breaking-off of the negotiations with the Romans. It is inconceivable why the Romans did not exert all their powers to destroy his fleet. His army consisted of about 40,000 men. Scipio was really inclined to make peace; for against Carthage itself the Romans could undertake nothing, and Scipio had as yet conquered none of the other fortified towns, though he had made himself master of several open places, but the Carthaginians were resolved once more to try their fortune.

## LECTURE LXXVIII.

THE war was brought to a close in Africa, according to Cato in the year 550, according to Varro 553. When Hannibal saw the true state of affairs, he endeavoured to continue the negotiations for peace; for he foresaw the impossibility of carrying on the war successfully, and he was convinced that, if the last battle should be lost, the Carthaginians would be obliged to accept a peace which would render it impossible for them ever to recover.

Peace, therefore, appeared desirable to him as well as to Scipio, who had every reason for fearing lest his adversaries at Rome should take the command from him, and appoint a successor. The terms which Hannibal offered were not satisfactory to the Romans, as he demanded for Carthage the sovereignty of Africa, and merely ceded to the Romans all the countries conquered by them; but declined to yield anything else. Scipio demanded

nothing more than the conditions agreed to before, and a trifling indemnification for the injury done to the convoy. But the negotiations were broken off through the folly of the people of Carthage; for as their invincible general was within their walls, they believed, what he himself neither could nor did believe, that everything was gained; and they would hear no more of peace.

These events led to the decisive battle of Zama in 550. Here too, Hannibal, as is attested by Polybius, showed the qualities of a great general: he drew up his army in three divisions; the foremost consisted of a mixture of foreign mercenaries from the most heterogeneous nations; behind these were drawn up the Carthaginian citizens, who took up arms only in cases of extreme necessity, but were forced to be brave by their actual circumstances; behind these were the Italicans whom he had brought with him, and who formed a considerable corps of reserve. Eighty elephants were stationed before the front line, and the cavalry on the wings. This was the only battle in which he made use of the elephants; but they had ceased to be formidable to the Romans. The latter were drawn up in their usual order, hastati, principes and triarii; but Scipio, instead of forming his cohorts into maniples, arranged them in échelons or columns, side by side;<sup>1</sup> in the large intervals left between the columns, as well as in front of the lines, he placed the light-armed troops, that they might attack the elephants with their missiles, if they should approach, and with their javelins, if they should penetrate into the open spaces. The Roman and Numidian horse were placed on the wings. The issue of the engagement shows that this cavalry was now, at least, in quality, superior to that of the Carthaginians, as the latter was soon routed. The plan as to the elephants was partially successful; as most of them, when frightened by the light troops of the Romans, escaped through

the open spaces, though some threw themselves sideways upon those who attacked them with their javelins. The contest then began between the hastati and the Carthaginian mercenaries, who, after a brave fight, retired upon the Carthaginian phalanx standing in their rear, but were driven back by them against the Romans, so that they were cut to pieces between the two. The hastati, however, were thrown back by the Carthaginians; Scipio allowed them to retreat, and directed the principes and triarii to move obliquely towards the wings, so as to attack the flanks of the Carthaginians. This plan was perfectly successful: the Italicans alone fought with the courage of despair, but the whole of the Carthaginian cavalry was routed, and the Romans threw themselves upon the rear of the Carthaginians; whereupon the flight became so general, that the army was almost completely annihilated. Hannibal himself escaped with a small number to Adrumetum.

After this battle was lost, the only thought which occupied the minds of the Carthaginians was to make peace. The great Hannibal himself chiefly conducted the negotiations. It was, however, a piece of great good luck for the Carthaginians, that Scipio himself, for reasons which I have already mentioned, was desirous to bring the war to a close. The terms, however, which he now offered, were much harder than those which he had proposed before. While the first treaty allowed them to have thirty triremes, their number was now reduced to ten; they were to keep no elephants for purposes of war, and those which they had were to be surrendered; 10,000 Euboean talents were to be paid by instalments in the course of fifty years, that is 200 every year; 150 hostages were to be given and to be chosen by the Romans themselves (this was a hard case, considering how badly hostages were treated by the ancients), and all prisoners and deserters were to be delivered up to the Romans. Carthage, however, retained her independ-

<sup>1</sup> Livy, xxx. 33; Polybius, xv. 9.



ence; the towns and countries which she had possessed in Africa before the war were to remain subject to her, but it was vexatiously demanded that Carthage should prove what she had possessed. Among the deserters were the unhappy Italicans, especially Brutians, who had fought in the army of Hannibal. Whether all were put to death, or sold as slaves, is unknown, for Livy passes over this part of the treaty, which is mentioned by Appian,<sup>2</sup> and must consequently have been spoken of by Polybius. The Carthaginians were further obliged to recognize Masinissa as king of Numidia, within the limits fixed by the Romans, and to conclude a passive offensive and defensive alliance with the Romans, who thus shook off all obligations on their own part. The Carthaginians pledged themselves to undertake no war in Africa without the sanction of the Romans, out of Africa no war at all, nor to enlist mercenaries in any part of Europe, and to provide the Roman army then in Africa with all that was necessary for the space of six months. Some of the foolish people at Carthage spoke against these terms; and it was on this occasion that Hannibal seized one Gisgo, and dragged him down from the elevated place where he stood, amidst the cries of the multitude that their rights as citizens were violated. Hannibal saved himself only by declaring that, having left Carthage at the age of nine years, and having spent thirty-six years abroad, he was not acquainted with its manners and customs.<sup>3</sup> He then urged the absolute necessity of concluding peace, of which, in fact, every sensible man must have been convinced. The intelligent among the Carthaginians saw that the peace was unavoidable, and that matters would never have come to this had they supported Hannibal at the right time.

After the peace was concluded and sanctioned at Rome, the Roman army returned to Italy. All the armed ships

of the Carthaginians were taken down into the sea and set on fire. Thus ended the second Punic war, which had lasted sixteen years; the rivalry of Carthage was gone, and Rome made immense booty.

It was undoubtedly the first object of attention to the Romans to heal the wounds which had been inflicted upon the Italicans. Many of the inhabitants of southern Italy were punished; their lands were confiscated, and no small number of colonies were founded in those districts, perhaps rather with the intention of providing for impoverished Romans, than to secure the possession of the country. The veterans who had served in the army of Scipio, received settlements in Apulia and Lucania:<sup>4</sup> this is the first instance of provision being made for veterans; if we had the second decad of Livy, we should perhaps know earlier instances, but they would certainly be only isolated ones.

Much might be said respecting the consequences of this war, although little is mentioned in our historians. The prices of everything had risen to an unnatural height, and the middle classes must have been exhausted by the constant and heavy contributions which they had been obliged to pay. And the result of this must have been, that the separation between the rich and the poor became more marked than it had ever been before. Not long afterwards, indeed, there appears a state of things completely at variance with the spirit of the earlier Romans.

Scipio was the first Roman who received the honourable title of the Great, as Sigonius has shewn:<sup>5</sup> in the *Fasti* this is overlooked, but Polybius<sup>6</sup> expressly calls him *ὁ μέγας*. It is an interesting fact, that towards the end of the war the Romans raised a public loan which was to be paid back by

<sup>2</sup> *De Rebus Pun.* 54. Compare Livy, xxx. 37; Polybius, xv. 18.

<sup>3</sup> Livy, xxx. 37; Polybius, xv. 19.

<sup>4</sup> Livy, xxxi. 4, whose words, however, are: *Decreverunt Patres, ut M. Junius, praetor urbis, si ei videretur, decemviros agro Samniti Appuloque, quod eius publicum populi Romani esset, metiendo dividendoque crearet.*

<sup>5</sup> *Animadv. histor.* c. i.

<sup>6</sup> xviii. 18; xxii. 12, foll.

three instalments ;<sup>7</sup> but the difficulties during the Macedonian war were so great, that the last payment could not be made in any other way than by grants of land. Livy has very much neglected the internal condition of Rome, but we cannot enter upon it here. Concerning the state of intellect and literature I shall speak hereafter, when I have reached the end of the war with Antiochus.

Immediately after the battle of Cannae, Philip III. of Macedonia had sent ambassadors to Hannibal, and had concluded a treaty with him, the document containing which fell, by chance, into the hands of the Romans ;<sup>8</sup> there was, indeed, no reason for keeping it secret, as it could not have remained concealed, at least not for any length of time. This treaty, as preserved in Polybius, is certainly genuine ; for it is written in a quite peculiar form, which is not Greek, but is undoubtedly an example of the style in which the Carthaginians drew up such documents. Neither of the contracting parties had undertaken any important obligations towards the other. As regards the advantages granted to Philip, Hannibal promised him that, in case of his being victorious, he would compel the Romans to give up their possessions east of the Adriatic : that is, Corcyra, Apollonia, Epidamnus, the colony of Pharos, the Atintinians, a people of Epirus, the Parthinians, an Illyrian tribe, and the Illyrian town of Dimalus ; all of which were to be given to Philip, who conceded that Italy should be under the supremacy of Carthage. Had Philip then been what he was at a maturer age, the alliance might have become dangerous to the Romans. But the latter displayed all the heroism and perseverance which distinguished them during this whole period, and sent out a fleet under the command of the praetor M. Valerius Laevinus, to protect Illyrium and to create in Greece a party against Philip.<sup>9</sup> The war began

in the year 537 or 538—as Laevinus was not consul, the exact year cannot be ascertained,—and ended in 548. On the part of the Romans it was badly conducted, but no less so on that of Philip, although he had to make but small exertions against a few places to expel the Romans, and he might easily have made himself master of all the districts mentioned in the treaty ; in short, he conducted the war in a manner which might make us inclined to consider his power very different from what it afterwards actually proved to be. Had he given to Hannibal only 10,000 Macedonian auxiliaries, he might have inflicted a severe blow upon Rome ; but he was too vain.

At the time when the war broke out, Philip was perhaps not more than twenty or twenty-one years old. When his father Demetrius II. died, he was left a child under the guardianship of an uncle, or rather an elder cousin, Antigonus Epitropus, who had the nickname of Doston. This man shewed a conscientiousness which, considering the character of those times, excites our astonishment,—for he was *faithful*, and as anxious about the education of his ward as about his rights ; and as Philip at first appears not only as a young man of great accomplishments, but of an amiable disposition, we must infer that his guardian bestowed equal care upon the formation of his character, as upon the development of his mind. But there was something vicious in the nature of Philip, which led him soon to rid himself of the watchful eye of Antigonus and to spend his time, like an Eastern youth, in voluptuousness. Yet he possessed high abilities ; he had decided talents as a military commander, great courage, and the power of using and increasing the resources of his kingdom, which became more particularly manifest after his peace with the Romans. After having lost a part of his dominions, he availed himself so prudently of his circumstances as to make the Romans themselves contribute to increase his power. Hence, he left to his son the kingdom in a

<sup>7</sup> Livy, xxix. 16.

<sup>8</sup> Livy, xxxiii. 33, foll. ; Polybius, vii. 9.

<sup>9</sup> Livy, xxiv. 40 ; Justin, xxix. 4.

more prosperous condition than it was in when he succeeded to the throne ; for the Macedonian empire had fallen into decay under Antigonos Gonatas. The Aetolians had risen, and the Achaeans had emancipated themselves. Under his successor, Demetrius, the empire had been still more reduced ; and from this state it did not recover till the last years of the guardianship of Antigonos Doson, whose efforts were aided by the high treason of old Aratus, who, disgracing his glorious life, had sacrificed the freedom of his country, and, from personal and national vanity, had given up Corinth rather than establish the freedom of Greece by a union among the Peloponnesians, which would have secured to Cleomenes the influence and power he deserved, and without which the Lacedaemonians could not join the Achaean league. In the beginning of his reign, Philip, in conjunction with the Achaeans, carried on a war against the Aetolians, in which the latter lost a considerable part of their importance : some of their fortified places in Thessaly fell into the hands of the enemy, and the respect which they had until then enjoyed in Greece began to sink. They were obliged to conclude a disadvantageous peace ; but retained their independence. At the time when Philip entered into the alliance with Hannibal, Greece was in the enjoyment of peace, Thessaly, with the exception of the Aetolian part, Phocis, Locris, Euboea, together with Chalcis, Corinth, Heraea, and Aliphera, were in favour of Macedonia, and had Macedonian garrisons. The Achaeans, nominally free and allied with Macedonia, were in reality in a state of dependence upon their allies. The same was the case with the Boeotians and Acarnanians. The Aetolians, on the other hand, were free, and had still a large territory, which comprised, besides Aetolia Proper, the country of the Ozolian Locrians, of the Dolopes, and the greater part of Phthiotis. Lacedaemon was then harassed by one revolution after another : it was governed by a nominal king, probably a son of Eudamidas, but soon afterwards Machanidas

usurped the government. Philip was allied with the Eleans, Messenians, and Lacedaemonians. Rhodes, with its great maritime power, was connected with Macedonia by treaties and ties of friendship. The kings of Syria at this time governed western Asia, but Caria, Samos, the Hellespont, Chersonesus, the towns on the southern coast of Thrace and the Bosphorus, belonged to Egypt ; Chios, Lesbos, and Byzantium formed a free confederacy of cities. Rhodes was free, powerful at sea, and on friendly terms with Rome, although no actual connection existed between them. A war had been carried on between Syria and Egypt, which was terminated by a peace, in which Egypt retained Coele-syria, but lost the northern fortresses of Phoenicia. Now, while all the countries east of the Adriatic were thus restored to peace, the attention of the Greeks was directed towards the Romans. Athens, in its state of impotence, was connected with them by friendship, but kept aloof from all political activity.

It might have been thought that Philip, at the head of such an extensive empire, and with such warlike nations at his command, would have been able to gain important advantages over the Romans, but he made no efforts : in the beginning of the war there were only little skirmishes. Philip, however, conquered Attintania and the Ardyaeans who were under the protection of Rome, and occupied the northern part of Illyricum. About the fourth year of the war the Romans concluded an alliance with the Aetolians,<sup>10</sup> and unfortunately for unhappy Greece, they now became more enterprising in those parts. They sent, it is true, only one legion, consisting in reality of the epibatae of their ships ; but they had a fleet in the Grecian seas, which was a matter of considerable importance, because the Macedonians had scarcely any fleet at all. Through the Aetolians, the Romans became acquainted and were enticed into friendly relations with Attalus I.

<sup>10</sup> Livy, xxvi. 24 ; compare 26, and Polybius, xi. 6, xxiii. 8.

of Pergamus, who from his small dominions had conquered Lydia, and ruled over a rather extensive and rich principality. The Roman fleets, under Laevinus and his successor P. Sulpicius Galba, were a true curse to unfortunate Greece. In the treaty with the Aetolians, it was stipulated that all places (Livy says only those between Aetolia and Corcyra), which should be conquered by their united forces, should be treated in such a manner, that the towns and the soil should belong to the Aetolians, but the inhabitants and all their moveable property to the Romans, who might sell them or carry them away, just as they pleased. In discussing the question whether Polybius, in his judgment of the Aetolians,<sup>11</sup> is just or not, we ought to remember this ignominious clause, for it shows incontrovertibly what they were. After the Lamian war, it is true, they deserved praise, but afterwards they proved that they were barbarians in their manners, as well as in their ways of thinking, although they may have partially spoken the Greek language. The deplorable consequence of their treaty with the Romans was, that when the Roman fleet appeared on the coast of Greece, and Dyme, Oreus, and Aegina were taken, the Romans sold all the inhabitants as slaves. The Aetolians, however, were unable to maintain possession of Dyme and Oreus, and it was only in Aegina that they held out:<sup>12</sup> they sold this important island with its harbour to Attalus for thirty talents.<sup>13</sup> Such shameful conduct roused the indignation of the Greeks against the Aetolians and Romans, and increased the popularity of Philip.

As the Romans left the Aetolians without support, Philip and the Greeks penetrated into the heart of their country, and took vengeance for the ravages they had made on the sea coast. Thus the Aetolians, abandoned by the Romans, concluded a very disadvantageous peace, the terms of which are not known,<sup>14</sup> and Philip made considerable conquests.

Two or three years afterwards,—the chronology in Livy is here very uncertain,—perhaps in the year 548, the Romans also, through Tib. Sempronius, concluded a peace with Philip, the terms of which again conceal great disadvantages.<sup>15</sup> The fact was, that the Romans, in order to obtain peace, gave up Atintania, which belonged to them, and allowed Philip to establish himself in Epirus. Atintania was, in itself, an insignificant district, but very important on account of the pass of Argyrocastro, by which Philip obtained a free communication between the country subject to Rome and Epirus, which was then a republic. The Ardyaeans were likewise left to Philip; but the Romans concluded this peace, in the hope that, before long, an opportunity would offer for recovering what was now lost. This is one of the few instances in which the Romans gave up a part of their possessions; and it ought to have been remembered by those who reproached Jovian when, in order to save his army, he ceded to the Persians a tract of country: people then cried out, as if such a thing had never before occurred in the history of Rome, though Aurelian had given up Dacia to the Goths, and Hadrian had sacrificed the eastern conquests of Trajan,—not to mention the peace with the Volscians in the earliest times.

<sup>11</sup> In such passages as ii. 3, foll. 45, 49; iv. 3, 67; ix. 38, and many others.

<sup>12</sup> Polybius, xi. 6; xxiii. 8.

<sup>13</sup> Livy, xxvii. 29, foll.

<sup>14</sup> Livy, xxix. 12; Appian, *De Reb. Maced.* 2.

<sup>15</sup> Livy and Appian, *ll. cc.*; Justin, xxix. 4.



## LECTURE LXXIX.

AFTER having concluded peace with Rome, Philip entered into alliance with Antiochus the Great of Syria, against Ptolemy Epiphanes, who had succeeded his father (the contemptible Ptolemy Philopator) when a child five years old. From the time of Philadelphus and Euergetes, the Egyptian kings had been in possession of extensive territories and fortified places on the coasts of Syria and Asia Minor, as far as the coast of Thrace; Lycia, at least, was under their dominion. As under Ptolemy Philopator the kingdom had fallen into complete decay, and as his young successor was growing up under an unworthy guardian, Antiochus and Philip availed themselves of these favourable circumstances to deprive the young king of his possessions in Caria, and on the coasts of Asia and Thrace. Ever since the formation of the Alexandrine kingdom, Egypt had been in friendly relations with Rhodes, and it was greatly for the interest of the Rhodians to entertain such relations; hence they defended Epiphanes. But their power was not sufficient against Macedonia and Syria, especially as the wretched government of Egypt did nothing, but left the whole burden of the war to their allies, the Rhodians, Byzantium, Chios, and Attalus of Pergamus. Philip and Antiochus, therefore, gained their end; Philip conquered for himself the whole coast of Thrace; Perinthus, Ephesus, and Lycia, came under the power of Syria, and the Egyptians lost all their possessions in those parts, although the allies of the Egyptians had been somewhat successful in a naval engagement near Chios. Philip had now reached the highest pitch of his greatness; and even the Cretans, with whom the Macedonians had never before had any influence, now called upon him to mediate in their behalf.

The distress inflicted upon Athens afforded the Romans a welcome pre-

text for renewing the war with Philip. Athens was at that time utterly decayed, desolate, and impoverished; but it had, nevertheless, hitherto enjoyed a kind of independence: it had been, for upwards of twenty-five years, in friendly relations with Rome, having concluded an alliance with it after the first Illyrian war, and honoured it with the right of isopolity.<sup>1</sup> The Romans may have received this isopolity with a smile; but the city still continued to enjoy, from the recollection of early times, such a renown, that this present, at least on their part, was by no means ridiculous. Pausanias relates that, among the cenotaphs of those who had fallen in battle, there were also some for those who had fallen in three triremes in distant countries, as allies of the Romans; but he does not state the time. It is not likely that this was a fiction of the Athenians; and the period to which those cenotaphs referred is probably the second Illyrian war, the Athenians being cunning enough to see that, by sending a few ships, they might win the favour of the Romans. During the first Macedonian war they wisely remained neutral. In the last years of the Hannibalian war, hostilities broke out between them and Philip. The murder of two young Acarnanians, who had entered the temple of Demeter at Eleusis during the celebration of the mysteries, induced the Acarnanians to call Philip to their assistance, in taking revenge on the Athenians. Philip, who had long been wanting to get possession of Athens, was delighted at the opportunity, and ravaged Attica up to the very walls of the city most cruelly: all the temples in the territory of Athens were demolished, and even the sepulchral monuments were destroyed. The complaints of the Athenians were carried to Rhodes, to

<sup>1</sup> See p. 362.

Attalus, and in general to all the allies of the suddenly broken-down kingdom of Alexandria, which, under Euergetes, had enjoyed such a degree of prosperity; but their hopes were chiefly based upon the Romans. At Rome, long discussions took place as to what should be done.<sup>2</sup> The senate and the ruling party, whose desires and ideas of Rome's power already knew no bounds, did not hesitate for a moment to declare war against Philip, wishing, at the same time, to indemnify themselves for what had been sacrificed in the late peace with him; but the people, who were utterly exhausted, wished for rest, and when the proposal was first brought before them, it was rejected.

It is one of the greatest errors to believe that a constitution remains the same as long as its forms continue unaltered. When changes have taken place in the distribution of property, in the social condition, in the sentiments and the mode of life of a nation, the nature of its constitution may become quite the reverse of what it originally was, even though not an iota may have been altered in its form. It may at one time be democratical, and at another it may, with the same forms, be aristocratical. We moderns pay too little attention to such internal changes, although they are among those points which we must endeavour to ascertain, and without which history cannot be understood. The constitution of the Roman republic was at that time quite different from what it had been, although no formal change had been made in it. That remarkable and strange ascendancy of the oligarchy of wealth already existed, and the multitude, which has no judgment and no will, decreed what in reality it did not wish. This state of the constitution is manifest during the seventh century on a hundred occasions; and in these transactions about the war with Philip, we see one of its earliest and most remarkable symptoms. It was a great misfortune that after the second Punic war, there was not some

great man of sufficient influence to examine the constitution, and to regulate its spirit in accordance with the actual state of things; for if, after immense exertions, the issue of a long disease is left to chance, without the application of remedies, a great state must necessarily come to ruin.

The Romans now with much zeal sent ambassadors to Philip to demand reparation for the Athenians, and to request that he would put an end to all hostilities against Rome's allies, to whom Ptolemy also belonged. Philip saw clearly that this was only a pretext to bring about a war, and must have seriously regretted that he had not better availed himself of the Hannibalian war. The second war against Philip was decreed in 552. The consul, P. Sulpicius Galba, who had carried on the war in those parts before, and had been the scourge of Aegina, Oreus, and Dyme, was entrusted with the command. Philip remained on the defensive, especially at first. The war must have been declared at a very late season of the year, for it did not actually commence till after the end of the consulship of Sulpicius. Livy<sup>3</sup> erroneously places the beginning of it in the year of the consulship of Sulpicius Galba, according to which date no place would be left for the consulship of P. Villius Tapulus. Villius appeared on the scene of action only for a very short time towards the end of his consulship.

The Aetolians were then very much reduced, but independent and hostile to Macedonia: they possessed Aetolia, a part of Acarnania, the country of the Aenianes, the Ozolian Locrians, the greater part of Phthiotis, the country of the Dolopians, a part of southern Thessaly and Thermopylae: they were connected with Lacedaemon and a number of distant places in Elis and Messenia; but they had been sinking for the last thirty years. In Peloponnesus, the Achaeans had Achaia, Sicyon, Phlius, Argolis, and Arcadia, but in point of fact they were quite dependent on the Macedonians, and

<sup>2</sup> Livy, xxxi. 51, foll.

<sup>3</sup> xxxi. 33, foll.

under their protection against Aetolia and Lacedaemon. The Lacedaemonians were much confined within their ancient country and had lost their old constitution: they had no ephors and probably no senate, being governed by the tyrant Nabis, one of the greatest monsters in history. The Messenians were separated from the Aetolians and Achaeans, and hostile to the latter; the Eleans were independent and allied with the Aetolians; the Boeotians, enjoying only a nominal independence, were under the supremacy of Macedonia; Corinth, Euboea, Phocis, and Locris were nominally allies of Macedonia, but in reality had to obey it. Thessaly was considered as a state united with Macedonia. The family of the Aeacidae in Epirus had been extirpated; and the remnants of the people hemmed in by the Aetolians formed a republic, sometimes under Aetolian, sometimes under Macedonian influence. On the mainland of Greece, Athens survived as a mere name standing apart from all associations, and was the object of Philip's hatred. The Acarnanians were not among the real subjects of Macedonia, but were united with it only by their common hostility to the Aetolians. The Cyclades had formerly been under the dominion of Egypt, but their condition was now undefined. Crete was independent, but torn to pieces by internal factions, between whom the Cretans invited Philip to mediate. Chios and Mitylene were free, and Rhodes great and powerful. Byzantium too was free, and allied with Chios and Mitylene: they had taken as little part as possible in the disputes of the other states, but were now (especially Chios) drawn into them and were allied with Attalus. As far as intellect is concerned, the Greeks were in a state of complete decay; at Athens, schools indeed still existed, but poetry was extinct, and even the art of oratory, the last flower of the Hellenic mind, had disappeared from Greece and established itself among the Asiatic nations, which had become Hellenised without possessing the great qualities of the Greek nation. Most towns were only shadows of what they

had been, and there were few which had not been destroyed several times. Corinth was one of the fortunate exceptions, and hence had become the most flourishing of all Greek cities. The Achaeans, ever since Aratus had delivered up his people to Macedonia in his opposition to the Lacedaemonians, stood in a relation of perfect clientship to the former. During this connection, which had existed for nearly twenty years, they had had many causes for exasperation, but they were on unfriendly terms with their neighbours, and the most that their patriots desired was to change their dependence on Macedonia into an attachment to it, but none thought of independence. Many, moreover, were agitated by feelings of indignation against the Romans, who had cruelly ravaged many of their towns. The Aetolians felt inclined to undertake the war, but could not make up their minds. A misunderstanding had arisen between them and the Romans, they reproaching the Romans for having held out to them unfounded hopes, and the Romans complaining of not having been supported by them in the Illyrian war.

During the first campaign of Sulpicius, in the year 553, the Romans gained little or nothing: the undertaking failed altogether, for they had, as it were, taken the bull by the horns, attacking Macedonia from Illyricum. Philip remained on the defensive. Illyricum, as far as Scutari, is a country similar to Franconia: it has many hills of a moderate height, but many parts are almost perfect plains. On the eastern frontier, however, lofty mountains, which branch out from Scardus or Scodrus, rise up and occupy the western part of Macedonia, and range southwards as far as Pindus and Parnassus. These mountains, high, broad, cold, and barren, are at the present time scarcely inhabited at all, and even the valleys between them are almost uninhabitable.<sup>4</sup> Sulpicius attacked the Macedonians in these mountains.

<sup>4</sup> Those mountains, the highlands of Macedonia, were the original seats of the earliest Macedonians, who had formerly been governed by feudal princes of their own, dependent on

There the Romans found all circumstances unfavourable; almost the whole population consisting of Macedonians was hostile, except the Orestians in Epirus; and they everywhere suffered from want of provisions. However much historians may have disguised the fact, or been ignorant of it, he was completely thwarted in his undertaking. He therefore retreated, and spent the winter in the fertile country of Lower Illyricum, in the neighbourhood of Apollonia and Epidamnus.

T. Quinctius Flamininus, who undertook the command, as consul in 554, was wiser: he immediately conveyed reinforcements across the Adriatic, and altered the mode of action. The Macedonians this time also had fortified the passes in the mountains on their frontier, and remained on the defensive; their main camp was near Argyrocastro, where the river Aëus flows<sup>5</sup> through a narrow defile between two limestone mountains, one of which stretches towards Pindus and the other towards Acroceramus:<sup>6</sup> both were wild and impassable. Here the king of Macedonia was encamped. Meanwhile the Aetolians, with whom the Romans had renewed their alliance, threatened the frontiers of Thessaly,<sup>7</sup> though without undertaking anything of importance. It was of great consequence to the Macedonians to prevent their actually attacking Thessaly, and uniting their forces with the Romans. Philip succeeded in effecting this by the energy with which he maintained his ground near Antigoneia. Villius too had, as proconsul, pitched his camp in that quarter; but Flamininus, who found him there, was convinced of the uselessness of an attack upon the front of the Macedonians. The Romans, probably, hoped that the

Aetolians would compel the Macedonian army to change its position, for otherwise we cannot understand their encamping in those districts.

Flamininus, who now undertook the command, was a distinguished man, and was elected consul, even before his 30th year, through the confidence of the people in his personal character. He is a proof of how false are the notions of those who imagine that the Romans did not try to make themselves familiar with Greek literature till a later period, for Flamininus is expressly praised for his Greek culture. His conduct towards Greece cannot, it is true, be justified in all respects; but he was irritated, his noble endeavours to win the approval of the Greeks being thwarted by the ingratitude of the partially degenerate nation. Had the Greeks been able to accommodate themselves to their actual circumstances, they would have escaped much that was distressing to them. Flamininus was convinced of the necessity of trying to drive the Macedonians from their position, and he gained his object through the faithlessness which, in those times, was the prevailing characteristic of the Greeks: he entered into negotiations with an Epirot chief of the name of Charopus, whom he bribed with money and promises; he sent to the consul a man by whose guidance he might evade the mountain pass.<sup>8</sup> A detachment of 4000 Romans was accordingly sent to follow the guide along unknown paths. The Romans not trusting their guide, kept him in chains, but no treacherous attempt was made; and having made a long circuit, they reached, on the third day, the heights in the rear of the Macedonians. This was the day fixed upon for the attack, and at sun-rise, when the preconcerted signal was given, the consul attacked the front lines of the enemy, but was beginning to sustain great loss, when on a sudden

Philip; but they were now completely united with Macedonia.

<sup>5</sup> Thus we must read in Plutarch's life of Flamininus, instead of Apsus.—N.

<sup>6</sup> Livy, xxxii. 5. Compare Polybius, ii. 5; Plutarch, *Flamin.* 3. This is still, and ever will be, the true road from Illyricum into the interior of Epirus, the ancient *fauces Antigoneae*. Part of the road runs along the bank of the river, and is cut out of the rock.—N.

Livy, xxxii. 13.

<sup>8</sup> Livy, xxxii. 11; Appian, *De Reb. Maced.*

4. Most passes can be evaded; and on this account they have lost their importance in civilised countries. If the pass of Antrodoco near Naples could not be evaded, it would be impossible to attack Naples.—N.



the Macedonians discovered that the Romans were on the heights in their rear, and that in a few minutes their retreat might be cut off. Flamininus now attacked the enemy with double vigour, while the other Romans fell upon the rear of the Macedonians, who were seized with a panic and fled; so that the Romans at once became masters of Epirus, and the gates were thrown open to them everywhere. Philip retreated across Mount Pindus into Thessaly. Flamininus did not pursue him, but first wished to avail himself of his position for the purpose of driving the Macedonians out of Greece; an expedition into Thessaly, however, was not followed by any great results. At Ambracia he joined the Aetolians, and then took up his winter quarters in Phocis, where he laid siege to the fortress of Elatea.

A fleet of King Attalus and the Rhodians, united with that of the Romans, was stationed during this campaign in the Aegean. It entered upon several undertakings, which however led to nothing but the devastation of Greece. Thus Chalcis, once a flourishing town, was plundered and laid waste. Corinth and Megara had before been given up to the Macedonians, and Philip had unceremoniously retained Orchomenos, although it should have been restored to the Achaeans; but at the commencement of the second war with Rome he gave it back to them. Had Philip at this juncture given up Corinth also to the Achaeans, they would probably never have been induced to abandon his cause; for they entertained an implacable hatred of the Aetolians, and it was only this hatred that led them to the otherwise disgraceful amity with Macedonia. They were, however, indignant at the Romans also, on account of the ravages they had made in Greece during the first Macedonian war. But now when Philip was unable to defend himself, and all the country as far as Thermopylae was in the hands of the Romans, the Macedonian party among the Achaeans, which was still very great, could not venture to come forward; and a discussion took place as

to the necessity of entering into an alliance with the Romans. At the congress of Sicyon, which was attended by the ambassadors of Rome, their strategus, Aristaenus, appealed to the feelings of many, persuaded them to give way to reasonable considerations, set forth Philip's acts of injustice, and carried a decree, though not without great opposition, by which the alliance with Philip was given up, and a treaty was concluded with the Romans. The Achaeans were promised that the places taken from them by Philip should be restored, and that Nabis and the Aetolians should abstain from hostilities against them. It was no longer possible to guide the nation by enthusiastic eloquence and lofty feelings, as had been done by Demosthenes; what was now required was prudence. The Achaeans were not a warlike people, even at the time when Philopoemen did his utmost to inspire them with a warlike spirit. The war with Macedonia was troublesome to them; for although the Macedonian garrison at Corinth was very small, yet it might by sallies do great injury to the neighbouring places in Peloponnesus; nay, the general, Philoctes, to whom Philip had given the command of Corinth, made himself master even of Argos, the greatest among the Achaean cities.

The Boeotians were in the meantime taken by surprise and compelled to join the Romans. They were wavering; for after having borne the Macedonian yoke for 140 years, they thought it impossible that that power should now be broken. It was almost entirely by cunning that Flamininus succeeded in inducing them to enter into the alliance with Rome, for in the year 555 (his imperium having been prolonged to him as pro-consul) he appeared before the gates of Thebes, and demanded to be admitted, in order to negotiate with them within the walls of the city. He was accompanied by his troops, and as he was entering with them, the Boeotians decreed the alliance with Rome, which under these circumstances was a mere farce.<sup>9</sup>

<sup>9</sup> Livy, xxxiii. 1 and 2.

One hundred and twenty-five years had elapsed since the death of Alexander the Great. The proud waves had subsided, and all things had assumed a different aspect: the Greeks no longer considered themselves as a nation destined to govern, but saw in the Macedonians their natural protectors against the Gauls, Scordiscans, Thracians, and Dardanians, to resist whom they felt that their own strength was insufficient. They had become accustomed to look up to the court of Macedonia, and had derived no small benefit from the gold which flowed from that quarter: in short, it had become a natural feeling with the Greeks to resign the supremacy to the Macedonians, who were no longer looked upon as barbarians: the court and the well educated classes in Macedonia spoke Greek as their mother tongue; and at Pella, Greek was unquestionably spoken just as much as the Macedonian idiom, so that, in reality, the difference between Macedonians and Greeks had become effaced.

Before the commencement of the new campaign, and when the Achaeans had already declared against Philip, the latter tried to negotiate, but refused to evacuate the whole of Greece, as was demanded by the Romans, and resolved again to try his fortune in war. He had become far more skilful in the course of his government; the negotiations were broken off, and in the year U.C. 555, the hostile armies advanced towards each other. Thessaly was now the natural scene of the war. Philip had exerted all his strength, and if it is true that he made a general levy, the small number of troops brought together proves that Macedonia must have been in a fearful state of desolation, in consequence of the ravages made there by the Gauls; but the statements on this point do not seem to be quite correct, for even with a moderate population, it would have been easy to raise an army of 100,000 men. Flamininus seems to have had few or no other allies besides the Aetolians, who, if our accounts may be relied on, amounted to not more than a few thousand foot, and from 400 to

500 horse.<sup>10</sup> The whole army of Flamininus is said to have consisted of 26,000 men, and a small number of cavalry. The campaign was opened at an early season of the year: and as the harvest in Thessaly takes place about the middle of June, the battle of Cynoscephalae must have been fought in the course of that month, for the corn was ripe, but not yet cut,<sup>11</sup> so that in their foraging excursions the soldiers had only to reap it. The Romans and Macedonians approached each other at a spot where only a line of small hills (Cynoscephalae) separated the two armies. This was at the boundary of the Thessalian plain, where the hills of Phthiotis gradually descend into Thessaly Proper. Here the vanguards of the hostile armies met unexpectedly, each believing the other far away, and both wishing to take up their quarters where they might find provisions and the corn ripe. Both were on their march to Scotussa. It had been raining the day before, and in the morning there was such a thick fog, that the hills on the right and left of which the armies were marching were hardly visible. The Macedonians wanted to ascend a height, which the Romans happened to have occupied. Philip had no inclination to fight, and the Roman commander too would have preferred another locality, this being too open, but the force of circumstances rendered the battle necessary. Three days had passed away before the battle began, and the Romans were already on the heights when the Macedonians arrived, but being only few in number, they were repulsed until reinforcements came up. This happened on the left wing of the Macedonian army. The two generals had perceived how near their armies were to each other, and quickly sent reinforcements. The Romans being supported by the Aetolians, had the advantage on the hills, which led the Macedonians to make the engagement a general one; but the Romans who were op-

<sup>10</sup> Livy, xxxiii. 3; Polybius, xviii. 4; Plutarch, *Flamin.* 7.

<sup>11</sup> Polybius, xviii. 3; Livy, xxxiii. 6.

posed by the whole of the left wing of the Macedonians, were driven from the heights; and this success had such an effect upon the Macedonians, that the king was obliged to give battle for fear of discouraging his soldiers. He therefore arranged them in the most appropriate manner, but was obliged to take possession of the hill, which was ill suited to the Macedonian masses, whereas the elastic arrangements of the Romans enabled them to avail themselves of such a position with advantage. The description of the battle in the fragments of Polybius is masterly.<sup>12</sup> The left wing had made a considerable advance, and pressed the Romans down the other side of the hill. The right wing of the Macedonians rushed with great vehemence up the hill, to which the left wing of the Romans had in the meantime advanced, so that this part of the Macedonian army was soon routed. This victory was owing to the Aetolian cavalry, and it also pursued the fugitives; but on the left of the Romans, which faced the dense masses of the Macedonian phalanx, the victory was undecided. For a time they could not resist those masses of at first nine, and afterwards sixteen men in depth, where the hindmost lines were protected, and pressed forward with their Macedonian lances (*σάπισσαι*). The Romans, however, made half a move to the right, and drove the Macedonians on the other side up the hills, whence they had come. In this position, in which the phalanx could not move, the victory was decided. The Romans no doubt owed it chiefly to the cavalry of the Aetolians; for it was they that broke through the phalanx. According to Polybius and Livy, at least 8000 Macedonians were slain, and 5000 taken prisoners.<sup>13</sup> Philip saved his life with difficulty; the Macedonians gave the signal for a capitulation by raising their sarissae; but the Romans not understanding this symbolic action rushed upon them, so that most

of them were cut to pieces, and the others taken prisoners. Philip fled to Larissa, and thence to Tempe. He had led his whole army into the field, and had committed the great mistake of not leaving any troops in reserve; he therefore immediately began to negotiate with the Romans; and after a few fruitless attempts a truce was concluded, during which he was to send ambassadors to Rome, to provide for the Roman army, and to pay down a contribution towards defraying the expenses of the war.

The Romans were the more inclined to make peace, as they were no longer on good terms with the Aetolians; the feeling of estrangement may perhaps have existed even before this campaign; but, after the battle of Cynoscephalae, the Aetolians plundered the Macedonian camp, and this gave rise to disputes, and to most vehement ill-temper on the part of the Aetolians. The Romans had taken part in the battle with far greater numbers than the Aetolians, but the Aetolian cavalry had certainly decided the victory; and at the beginning they had kept up the fight on the hill, so that the Romans were enabled to retreat in good order. These points were evident, and thus the Aetolians, even if they had not been a vain people, had just reason for ascribing the victory to themselves; but this they did in a manner which greatly offended the sensitive Flamininus. Hence immediately after the battle he endeavoured to curtail their advantages. The Aetolians, in their conceit, placed themselves on a footing of equality with the Romans, and felt hurt when the latter claimed higher authority for themselves than the Aetolians thought fit to concede. The Aetolians behaved in such a deplorably mean spirit towards Rome, that nothing short of the foolish and conceited character of a southern nation can account for it. Wherever such a state of feeling exists, the fruits of it are the greatest ingratitude and hostile malice towards allies.<sup>14</sup> The Aetolians wanted

<sup>12</sup> xviii. 5, foll.

<sup>13</sup> Polybius, xviii. 10; Livy, xxxiii. 10; Plutarch, *Flamin.* 8.

<sup>14</sup> The Spaniards, down to this day, have no feeling of gratitude towards the English

to turn the happy issue of the war to their own advantage and aggrandisement, but of this the Romans would not hear; for their policy was to restore the Greeks in such a manner that the separate nations might balance one another, without any one of them being predominant; nor was it their wish to destroy Macedonia. The Aetolians, on the other hand, insisted upon the Macedonian dynasty being expelled, in order that they themselves might be able to take the government into their hands. Throughout Greece, the Aetolians were celebrated in songs as the conquerors, and the Romans with their consul were spoken of only as auxiliaries. It was, without doubt, immediately after these events, that Alcaeus, the Messenian, wrote his beautiful epigram on the victory of Cynoscephalae, in which he speaks with contempt of thirty thousand Macedonians, who were slain by the *Aetolians and Latins*.<sup>15</sup> For this insolence Greece had to pay dearly. Any other general, who was not actuated by that love of the Greeks which Flaminius cherished, would have regarded such conduct very differently. Flaminius indeed was too sensitive, and he ought to have despised such things, considering that he had the glorious mission to deliver Greece; but the Romans were by no means just towards the Aetolians, and according to previous agreements, the latter had a right to claim back all the places which Philip had taken from them. The Romans now decided against them; and while they retained for themselves some of those places or annexed them to other states, they allowed others to remain independent. All this was not done without provocation; but it completely infuriated the Aetolians. Peace was concluded with Macedonia in the year 556, on conditions which were very humiliating to Philip; for he was obliged to

give up all his possessions out of Macedonia,—this kingdom, however, was far more extensive than the ancient kingdom of Macedonia, for it extended as far as the river Nestus, and comprised a part of Thrace, and many Illyrian and Dardanian tribes;—he had to give up all the towns in Greece, and the coasts of Thrace and Asia Minor (the latter countries ought to have been restored to Ptolemy, but they obtained a nominal independence); to surrender all his ships of war, with the exception of five and his royal galley; to keep no more than 5000 soldiers as a standing army; to pay 1000 talents, by instalments, in ten years; and to give hostages to the Romans, and among them his own son Demetrius.<sup>16</sup>

After various expectations, hopes, and resolutions, the Romans made a noble use of this peace. It would be unfair to inquire into their motives;—it may be that they wished to deprive Antiochus of every advantage—but whatever their policy may have been, Quinctius Flaminius, at least, seems to have acted from very pure motives. All Thessaly, the countries south of Thermopylae, and the three fortresses, Acrocorinthus, Chalcis, and Demetrias were occupied by the Romans. The question now was, what should be done? There were not wanting men who were unwilling to sacrifice a momentary material advantage for the sake of a noble and generous reputation, and who insisted upon keeping possession of those three fortresses, and some others, in order to keep Greece in a state of submission. Flaminius opposed them, and carried his plan, so that Corinth, whose citadel remained for the present occupied by the Romans, was restored to the Achaeans at once. This was the more noble, as not only the Aetolians, but even the Achaeans, with Philopoemen at their head, considered themselves quite equal to the Romans, so that Flaminius had to exercise great self-control to succeed in carrying out his noble

who were their deliverers; they boast of the battle of Salamanca, as if they had conquered the French, although it was the English who gained it for them, and they themselves lost only one man.—N.

<sup>15</sup> It is preserved in Plutarch, *Flamin.* 9.

<sup>16</sup> Polybius, xviii. 27; Livy, xxxiii. 30; Appian, *De Reb. Maced.* 2.



design. It was fortunate for the Greeks, that in mind and education he was a Greek, a fact which is also attested by the inscriptions on the presents he dedicated in the temples.

The decree of the senate was to be proclaimed on the day of the Isthmian games; and the Greeks, according to their different dispositions, entertained different expectations. An enormous multitude of people assembled at Corinth, and Flamininus ordered the decree of the senate, by which freedom was granted to all the Greeks, to be proclaimed in the theatre. This noble moment of enthusiasm afforded Greece a happy period of fifty years. Fifty years is a short time in the history of the world, though too long for a man to descend into the grave without having experienced misfortune. But the sad experiences of an earlier period have often been rewarded by an old age full of joy.

The Aetolians alone did not rejoice, nor did Nabis of Lacedaemon. The alliance with him is a foul spot on the honour of Rome: he had stipulated to retain for himself Argos, which he had caused Philip to sell to him; but Flamininus afterwards gladly seized the opportunity to annul the alliance, and make war upon him. Livy is very minute in this part, having Polybius for his guide, to whom these events must have been of particular interest. The tyrant was not, indeed, wanting in skill during the war; but he would have been subdued, and Sparta taken, had not Flamininus, probably in obedience to his instructions, followed the unhappy policy which led him not to wish to deliver Greece from this source of anxiety, in order that the Achaeans might be obliged to exert themselves, and to require the aid of Rome. A great part of Laconica, the district of the modern Maina, was separated from the dominion of the tyrant, and con-

stituted as an independent state, inhabited by the ancient perioeci; the Achaeans received Argos, and Nabis was obliged to pay a war-contribution of 100 talents at once, and 400 more within the space of eight years, and to give his son as a hostage. This state of things did not last long. In the absence of Flamininus, the Achaeans availed themselves of a tumult in which Nabis was slain, for the purpose of uniting Sparta with the rest of Peloponnesus, which was disagreeable to the Romans, but could not then be altered.

The Romans pledged themselves to evacuate the two fortresses of Chalcis and Demetrias, as soon as the affairs with Antiochus should be settled. They constituted Thessaly, together with Phthiotis, as an independent republic; and the Orestians, who formed a part of Macedonia Proper, but had revolted, received a republican constitution, though it seems to have been united with Thessaly, as I conclude from the list of Thessalian generals. Euboea, Locris, Acarnania, Boeotia, Phocis, Ambracia, Elis, Messenia, Lacedaemon, and Athens, were proclaimed free states; the rest of Peloponnesus and Megara became Achaean. But, although the Romans thus proclaimed themselves the deliverers of Greece, yet they gave the towns of Oreus and Eretria to Eumenes, the son of Attalus—he seems to have sold Eretria afterwards,—and left him in possession of Aegina.<sup>17</sup> The Athenians received the islands of Paros, Scyros, Delos, and Imbros. Down to the time of Sulla, the Romans always shewed a particular favour and respect for the Athenians, and never have the Muses been more kind towards any nation than towards the Athenians.

<sup>17</sup> Livy, xxxiii. 30 and 34.

## LECTURE LXXX.

IF, in relating the history of Rome, we were to follow the standard of the ancients, we could have little hope of attaining our end within the time allowed for these lectures; for all that I have hitherto related is contained in about thirty-three books of Livy, which constitute only a small part of his whole work. But the constitution of Rome, which is to us the most important part of her history, has been growing, and fully developing itself before our eyes; and the wars which have any moral or artistic interest are over. Henceforth, we have only masses to consider. I shall relate, at full length, the history of the destruction of Carthage, and of the Cimbrian war; but why should I enter into the detail, for instance, of the battle of Magnesia, in which rude and undisciplined masses of barbarians fought against the Romans? Livy's history, from the time which we have now reached, down to where it broke off, formed more than three-fourths of the whole work, though it comprised a period of not more than about 215 years. We may follow just the opposite course, and condense our narrative as we proceed further.

During the Hannibalian war, the Insubrians had remained quiet, and, with the exception of the first years, had taken no part in it, partly because they were not provoked by the Romans, and partly because the scene of the war was generally too far away from them, and they kept up little intercourse with Hannibal; but they now rose, and the Romans had to dread them the more, because an enterprising Carthaginian general, of the name of Hamilcar, who had remained behind from the army of Mago, disciplined the Ligurian and Gallic armies, in order that he might thus be enabled to inflict some severe wound upon the Romans. The Insubrians were very different from the Boians; the former submitted after a few campaigns, but the

Boians held out with great bravery for more than nine years, in the course of which the fortresses of Placentia and Cremona were entirely destroyed, for they knew that it was the intention of the Romans to annihilate them; and they accordingly fought with the courage of despair. We see from Pliny, that they had vanished from the face of the earth at the time when Cato wrote.<sup>1</sup> The fate of this people is very remarkable: the towns which they once inhabited in Gaul proper were scarcely known in after-times. On their emigration from Gaul, one branch had marched into Italy, and another to the countries on the Danube. It was probably in the Cimbrian war that this latter branch was extirpated, whence the name of the country, *Desertum Boiorum*<sup>2</sup> (Bohemia), which was subsequently occupied by the Marcomannians. According to Cato, the Boians in Italy had consisted of 120 tribes (*tribus*), which, in his days, had ceased to exist. It is not more than seventeen or eighteen years ago that jurists, writing on the *Lex de Gallia Cisalpina*, wondered why the Boians were not oftener mentioned in history; but they forgot that the Gauls south of the Po were completely extirpated by the Romans in the war which followed the second Punic war. The Romans then established colonies in those districts with very extensive territories, such as Bologna, Modena, Parma, and Lucca. Even in the time of Polybius, those districts still had scarcely any population, and afterwards became peopled only by degrees. The Julian law united Cispadana politically with Italy. The Celts on the northern banks of the Po had no connexion with the Romans.<sup>3</sup>

At the close of the war against

<sup>1</sup> Pliny, *Hist. Nat.* iii. 21.

<sup>2</sup> Pliny, *Hist. Nat.* iii. 27.

<sup>3</sup> Respecting the war against the Boians,

Philip, the Aetolians shewed themselves not only ungrateful towards the Romans, but they were most vehemently exasperated<sup>4</sup> at not having received the rewards which they expected for their services; and this feeling did not by any means subside afterwards. They were right in some respects, but wrong in others: they made too great pretensions; while the Romans did not act fairly in refusing to surrender to the Aetolians the towns of Phthiotis. But I am convinced, that even if there had been no real ground of complaint, the Aetolians would have moved heaven and earth, in order to drive the Romans out of Greece. They accordingly now turned their eyes towards Antiochus, who quite undeservedly bears the surname of the Great. The dynasty of the Seleucidæ is poorer in great men than any other of those which became established in the various kingdoms of the empire of Alexander. Seleucus, the first, was the most distinguished among them, though even he can scarcely be called a great man; but the majority of his successors were unworthy and degenerate Orientals, even before the Ptolemies became so. Antiochus is surnamed the Great, merely because his reign was a happy one. In comparison with the other princes of the same name of his dynasty, as Antiochus Soter, and the contemptible Theos, his grandfather and great grandfather, Antiochus was indeed eminent, for he restored the kingdom which had been left to him by his brother Seleucus in a state of considerable dissolution, but without doing any really great thing, as he exerted the comparatively extensive resources of his empire against cowardly enemies. He did not meet with any great difficulties; and those he did meet with, he did not overcome like a great man. He might have called himself *εὐρυχὴς*, for previously to his war with the Romans his monarchy was larger than it had ever been under the kings of Syria: it extended from the Hellespont to the

frontiers of India, and comprised Phrygia, Cilicia, Syria, Palestine, Coele Syria, Mesopotamia, Curdistan, Media, Persia, and all the country as far as Sidgistan and Cabul. He concluded treaties with Indian chiefs, and had immense treasures: but with all this he had no military power, and his kingdom was not superior to that of the former kings of Persia. Asiatic effeminacy prevailed throughout; and his strength had never been tested. The descendants of the Macedonians and Greeks, in their numerous colonies in Asia, which had been established by Alexander and Seleucus, had become just as unwarlike as, at a much later period, the Pullan, or descendants of the Crusaders, who were held in the greatest contempt by the natives, and had adopted all the vices of Eastern nations, without any of their virtues. As Antiochus was in possession of nearly the whole extent of the Persian empire, he was considered in the East as the μέγας βασιλεὺς, and in Europe as the formidable enemy of the Romans; the Aetolians, therefore, hoped to derive great benefits from him. He was a haughty and presumptuous man.

I have already mentioned that he entered into an alliance with Philip, against the young king of Egypt. The Romans had then entered into negotiations with him, which, however, led to no results. This was one of the many steps which the Romans took in venturing upon a thing without dreading failure. Antiochus was now in Asia Minor, and fancied that he might easily extend his dominion over a part of Europe. The countries which Philip had taken from Egypt, and which, in his peace with Rome, he had been obliged to give up, were in a defenceless state, and overwhelmed by Thracians—just as the Britons were by the Picts and Scots,—and they therefore called Antiochus to their assistance. This invitation was flattering to his vanity; he accordingly interfered in the disputes in Chersonesus, and restored Lysimachia which had been destroyed by the Thracians. But the Romans, wisely employing a vague expression, declared that they

Insubrians, etc., see Livy, xxxii. 30, foll.; xxxiii. 36, foll.; xl. 38; xlii. 7, foll.

<sup>4</sup> Polybius, xviii. 28.

would not suffer him to overstep the natural boundaries of his empire, and called upon him to restore the Greek towns in Asia to freedom, that they might enjoy the same benefit which had been granted to the European Greeks. This was the arrogant demand of a people anxious for war. Antiochus refused to do so, and the negotiations were thus continued for four years, during which he fortified Lysimachia and Chersonesus as bulwarks in defence of Asia. He also equipped a fleet for which he had the greatest resources, having taken from the Egyptians the coast of Phoenicia, and also possessing Cilicia and Pamphylia. In Greece the Aetolians looked up to him, but the Rhodians were decidedly hostile, being in alliance with Egypt, and with Rome on a friendly understanding which was almost equal to an alliance.

Antiochus' residence was not permanently at Antioch; he had then raised the splendid city of Ephesus to the rank of his capital. Hannibal was at that time with Antiochus, who had received him with the greatest distinction. Hannibal had spent the first years after the close of the second Punic war in his native city, and did not despair of the possibility of its recovery. Soon after the peace, he shewed himself as great as he had been in war. He was appointed *suffetes*, a title which we find in the book of "Judges," signifying the head of the state in time of peace. In this capacity he, by his ability, restored the authority of his office, which had ceased to be of great importance, the government of Carthage being already greatly paralysed by the democratic element. He attempted to do away with abuses of every description, and to reform the constitution of his country.<sup>5</sup> Hannibal's reforms in the financial department were extraordinary;

for he found a great deficit, and in order to prevent the ruling men from enriching themselves at the cost of the nation, he introduced a system of economy, and revealed the abuses which had been carried on: in short, he bestowed new life and happiness upon his native city. The party of traitors, however, whose interests he thus opposed, and which then existed at Carthage, as in all other contemporary states, set all their engines at work against him, until he found himself compelled to quit his country. Their object was to gain power for themselves by sacrificing their country to the Romans, whom at last they endeavoured to excite against him. The Romans began to silence their own sense of justice, by arguing, as Livy beautifully says, that they had made peace with the Carthaginians, but not with Hannibal. Rome had long ceased to be a conscientious state; its moral greatness, which in former times had not been a mere fancy, was gone, and just when they had it in their power to be just, they violated all laws of honour and virtue. They had repeatedly complained of Hannibal, and now they sent ambassadors to demand that he should be surrendered as a conspirator. This step, if we may believe Livy, met with the utmost opposition on the part of the great Scipio, who declared such conduct to be unworthy, nay, disgraceful. Hannibal, being informed of the fate which awaited him, and before the Carthaginians had come to any resolution, which perhaps might have been extorted from them by his enemies, fled to Antiochus of Syria.

When Hannibal saw the condition of the Syrian army he was terrified; for the great bulk of it consisted of barbarians. It was only partially adapted to the Macedonian tactics, and internally as corrupt and cowardly as it had been under the Persian dominion. There were only some portions of the army from which anything

<sup>5</sup> When we read in Livy (xxxiii. 46) that Hannibal reformed the *ordo judicium*, we must not conceive these *judices* to be the same as the *suffetes* among the Jews, who are always called *βασιλῆς* by the Greeks: they were, undoubtedly, no other than those whom Aristotle calls the One Hundred, or the One Hundred and Four, and whom he compares

to the ephors of Sparta. They seem to have had a great resemblance to the state-inquisition of Venice, which, although quite distinct from the organism of the state, yet had the right to interfere in state affairs.—N.



could be expected. His plan was worthy of him: he advised Antiochus to direct his main attention to the fleet, and by means of it to transfer the war to Italy, it being his intention that the picked troops and those whom he himself hoped to assemble, should embark and land in the south of Italy, which was still exasperated against Rome for the vengeance she had taken. The fleet was not to touch Greece, in order to avoid provoking Philip, who was rather to be allowed to domineer there, and to increase his power by allying himself with Egypt. Antiochus was at first greatly astonished at finding that Hannibal thought so little of the monarch of so great an empire, as to consider it necessary for him to form alliances for the purpose of undertaking a war against Rome. Little-minded persons naturally rejected such a plan; and it was determined to transfer the war into Greece, where the Aetolians were the king's allies, and to try to gain over Philip. The Achaeans were firmly attached to the Romans; and matters could not be so easily arranged with the king of Macedonia; for on the one hand, Philip could not forgive Antiochus for not having supported him in his last campaign, and on the other hand Antiochus wished, in case of his being successful, to make himself master of Greece and Thrace: an alliance between the two kings would certainly have succeeded in weakening the Romans considerably. But the nonsense which the advisers of Antiochus mixed up with everything, rendered this plan perfectly impracticable; they wanted not only to negotiate with Philip, but at the same time to frighten him. Therefore, at the very moment when it was of the highest importance to gain the good-will of Philip, a pretender who gave himself out to be a descendant of Alexander the Great, and had lived among the Acarnanians in Epirus, was received at Ephesus as the legitimate ruler of Macedonia; it being believed that thereby a revolution might be brought about in that country. This was childish. The opinion of Hannibal, who dissuaded the king

from the war, was approved of by only a few who were not blinded by pride and vanity, as Antiochus himself was. Hannibal was looked upon as a traitor, and the wretched king, with his wretched advisers, went so far in their folly as to believe that the great Carthaginian maintained a secret understanding with Rome. In this belief they were strengthened by a piece of cunning on the part of the Romans, which could not mislead any but bad persons. Scipio had been sent to Asia to conduct a last negotiation with Antiochus; he and Hannibal knew each other personally, and two great men naturally set aside the consideration that they had been enemies in the field: they were not mere instruments of states, but two great moral powers standing face to face, which had fought and concluded peace with each other, not as individual men. In such circumstances, truly great men conceive a mutual love. In this instance, the former rivals became intimate, and Hannibal offered hospitality to Scipio, who declared that he would accept it, if Hannibal were not dependent upon an enemy of Rome. This conversation, in which Scipio may not have been as open as Hannibal, was made cunning use of by Scipio, and may perhaps have contributed to render Hannibal suspected. Had Antiochus been a wise man, he would have had nothing to do with the blind fury of the Aetolians, or he ought at least to have convinced himself of the real extent of their power; but he imagined that they were a great nation.

After many and fruitless discussions, Antiochus resolved to follow the pressing invitations of the Aetolians, but the preparations were made in so clumsy a manner, that he had only 10,000 men to embark. The Aetolians expected an innumerable army, and had also described to the king their own power as much greater than it really was, so that he was greatly astonished at finding that they had scarcely 4,000 men, and a few hundred horse. Antiochus landed at Demetrias in Thessaly,<sup>6</sup> which, after the departure

<sup>6</sup> Livy, xxxv. 43.

of the Roman garrison, had fallen into the hands of the Aetolians. He made himself master of Phthiotis, went to Euboea, and took the fortified town of Chalcis: it would seem as if fate had wished to justify the unwillingness with which the Romans had entrusted these places to the Greeks, who did not know how to conduct themselves. Thence he entered Boeotia (where his arrival was hailed with joy),<sup>7</sup> Phocis and Thessaly. The last-named country had been constituted by the Romans as a republic, but had never known how to govern itself; and during its long dependence on Macedonia, it had lost all power of self-control. Magnesia and Phthiotis were separated from it, and formed into an independent state. Antiochus was well received on both sides of Mount Oeta, and extended his power there. This was a critical moment; for had Philip joined Antiochus with energy, the Romans might have been driven back as far as Illyricum. But his attention was turned away by the Romans, and he himself saw that the war had been commenced in so senseless a manner that not much success could be expected; he had not yet recovered enough strength, and foresaw that, if the issue should be unsuccessful, he himself would have to suffer most. He might expect, by delaying to join the Syrian, to see the Romans crush the Aetolians, who were hostile to him, while his own position did not become worse; and then he might wait patiently until the Greeks should begin hostilities against the Romans. Philip, therefore, only took possession of Demetrias, one of the three strongholds of Greece, which secured to him the dominion over Thessaly. There must have been a secret treaty with Rome about this place, for thenceforth it remained in the hands of the Macedonians, down to the overthrow of their kingdom, without a demand being ever made for its evacuation. Magnesia likewise became incorporated with Macedonia.

A bitter feeling between the Romans and Achaeans had manifested itself, even in the war of Nabis: the Achaeans mistrusted the Romans, because they had not yet withdrawn their garrisons from Acrocorinthus, Chalcis, and Demetrias. At the time when Antiochus, of whose power the Greeks entertained most exaggerated notions was approaching, the Romans were wise enough to withdraw those garrisons. Other Greek states also gradually deserted Rome, and there existed everywhere a Roman and a Macedonian party. Flamininus now stained his reputation by allowing the faction devoted to him and to the Romans to murder the head of the Macedonian party in Boeotia, and by protecting the murderers against the justice of the law. The friendship of the Achaeans towards Rome was only of a negative nature, inasmuch as it was repugnant to their feelings to make common cause with the Aetolians.

The eyes of both Antiochus and of the Aetolians were now opened to the delusion under which they had been labouring in regard to each other. In these difficulties, Hannibal, who had been an evil prophet from the beginning, was looked to for help. It is one of the most distressing things that can happen to a great man, to be asked for his advice in dangerous moments which he has foreseen and foretold, and which would have been averted had he been listened to. But, as there was no other way left, Hannibal's advice, to enter into an alliance with Macedonia, was now followed with the most ardent zeal,<sup>8</sup> but quite in vain; for Philip had already concluded an alliance with the Romans. This was an immense advantage to him, though he valued the acquisition more, inasmuch as it afforded him the means of ruining the Aetolians with the help of the Romans. Antiochus now no longer ventured upon any great undertaking; but, by the advice of his courtiers, he intended to employ the winter in

<sup>8</sup> Diodorus, *Fragm. lib. xxix., Exc. de Virt. et Vitiis*, p. 574.

<sup>7</sup> Polybius, xx. 4.

making further preparations in Asia. Meantime, the consul, M'. Acilius Glabrio, arrived with a fresh army, increased by Macedonians, in Thessaly, where he was opposed by only 10,000 men of Antiochus, and a few Aetolians. The latter were stationed near Heraclea, while Antiochus occupied Thermopylae, which was now to be defended by Macedonian Asiatics. That the memorable pass could be evaded, unless the road across mount Oeta also was occupied, was generally known. The Romans made a gallant attack. M. Porcius Cato and his friend L. Valerius Flaccus, were commissioned to take possession of the two heights commanding the pass. The latter was unsuccessful; but Cato took the heights, and, together with the fugitive Aetolians, penetrated into the camp of the enemy, while M'. Acilius defeated the Syrians in front: the whole army of Antiochus took to flight, and the king himself escaped to Chalcis, where he had passed the preceding winter in the enjoyment of Asiatic luxuries, and childish festivities. But he soon quitted this place also, and leaving only a small garrison behind, returned to Asia Minor: his fleet also retreated before a Roman one which had recently arrived: in short, the king acted as if the war had been at an end. The great Antiochus now abandoned himself to sensual pleasures, and ordered an army to be raised from all Asia, which was to be so numerous as to render hopeless any resistance on the part of the Romans.

M'. Acilius Glabrio now directed his arms against the Aetolians, who were left entirely to themselves. Heraclea and Lamia, two towns on the Thessalian side of Thermopylae belonging to Aetolia Epictetos, were besieged, the former by the Romans, the latter by Philip, probably according to the secret article in his treaty with Rome, above alluded to. The siege of Heraclea, where the main force of the Aetolians was stationed, was carried on systematically and with great energy; the town was taken by assault; the garrison and the citadel surrendered at

discretion.<sup>9</sup> All the fair prospects of the Aetolians had now vanished, for it was more than probable that Antiochus would never return to Greece. What saved them was the wish of the Roman generals to conclude this difficult war in the mountains against a poor people, and to cross over to the rich countries of Asia; and the policy of the Romans, which was to prevent Philip attaining his purposes of aggrandizement, also prevented the utter ruin of the Aetolians. When, therefore, Lamia was on the point of surrendering, the Roman consul, although the town had no doubt been promised to the king, sent a message to him, ordering him to raise the siege, on the ground that the consul had concluded a treaty for Lamia. Thenceforth Philip took no part in the war, and confined himself to extending his dominions towards the west, by conquering Athamania and the Dolopians.

The Aetolians would have been extirpated, had not the Romans had reasons for preserving them. The Romans now appeared before Naupactus, and laid siege to it. The town would have been taken had the Romans acted with the same energy as at Heraclea; but they carried on the siege with the wish to spare the enemy, and the Aetolians having in the meantime gathered all their scattered forces, the Romans withdrew from the place.<sup>10</sup> The war came to its close with the siege of Ambracia,<sup>11</sup> which then belonged to the Aetolian state. The peace was concluded by the consul M. Fulvius; and the Aetolians obtained tolerable terms, for they had only to pay a contribution of a few hundred talents,<sup>12</sup> to recognise the supremacy of Rome, and to promise to support her in war. Ambracia was saved, and passed peaceably into the hands of the Romans. Cephallenia was taken by the Romans and destroyed; Acarnania had previously fallen into their hands. The siege of Ambracia is one of the

<sup>9</sup> Livy, xxxvi. 24, foll.

<sup>10</sup> Livy, xxvi. 35; Plutarch, *Flamin.* 15.

<sup>11</sup> Livy, xxxviii. 5.

<sup>12</sup> Livy, xxxviii. 11; Polybius, xxii. 13.

most ingenious in all ancient history, and its defence does honour to the Aetolians, whose wars are, on the whole, not glorious; for that small people, forsaken by all the Greeks, and led by no great man, now defended itself with extraordinary bravery. I

have here somewhat anticipated the time, for the siege of Ambracia took place in the year 564. Rome had thus secured all the landing places along this coast, and had opened to herself all the roads into Greece.

## LECTURE LXXXI.

AFTER Antiochus had left Europe, he defended himself only with his fleet against the Rhodians, and the ships of Attalus and Eumenes, among which there were only very few Roman vessels. With regard to the Romans, he was as much at ease as if he had been secured from them by an impassable gulf;<sup>1</sup> and it was Hannibal alone who induced him to keep possession of the Hellespont. This he did, but no more; for he thought it sufficient to prevent the Romans from attacking him in his own dominions. An engagement of some importance took place in which the king's enemies gained some advantages; but afterwards the fleets separated, and that of the Rhodians was disgracefully deceived by the Syrians, taken by surprise, and defeated. M. Aemilius Regillus, a Roman admiral, was already approaching with a Roman fleet. How little the sea was the element of the Romans may be seen from the fact, that immediately after the Punic war they had given up their fleet, for they never kept one unless they really wanted it. Hence we find them at Myonnesus with not more than from eighty to ninety ships, half of which, at the least, belonged to the Rhodians, who were by far the best sailors of those times, and still showed a freshness like that of the best age of Greece. The fleet of Antiochus was furnished almost entirely by the Phoenician towns,<sup>2</sup> and was under the command

of Hannibal, but it was nevertheless unable to join another division of the king's fleet. A battle ensued off Myonnesus, in which the Romans and their allies gained a decided victory. The fleet of Antiochus was almost entirely destroyed, and the remaining ships escaped into two ports on the coast of Caria. The victory was gained by the Rhodians, but at the same time by fire, for the Rhodians had engines on board their ships, by means of which they threw fire upon those of the enemy. This probably resembled the substance which in later times was called Grecian fire: to judge of it from the manner in which the Greek historians speak of it, it was not thrown with rockets, and was certainly something inextinguishable, and not generally known. This naval victory decided the war. On the advice of Hannibal, Antiochus had endeavoured to keep possession of Chersonesus, which is connected with Thrace only by a narrow neck of land a few miles broad. On it was situated Lysimachia, a strongly fortified place, whence strong walls ran to the Melas Colpos and the Propontis, so that on the land side an entrance could be forced only by a siege. A landing might have been effected at several points, but the Syrian fleet might and ought to have prevented it. If Antiochus had wished to keep on the defensive, he would have been unassailable in Asia. But his blindness was so great that he removed Hannibal from his court and sent him to Pamphylia, because he hated him as the man who reminded him of former counsels which had not

<sup>1</sup> Livy, xxxvi. 41.

<sup>2</sup> The Phoenician towns, so powerful in the time of the Persians, appear to have wholly lost their importance.—N.



been followed. It is possible that by occupying Chersonesus he might have protected Asia, although he could not have done so for any length of time; but the madness was, that the king evacuated it without making even an attempt to defend it. The rich stores there which were intended for a long campaign were given up to the Romans, and the garrisons were withdrawn from all the towns. He deceived either himself or his subjects with the thought that he could defend himself behind the Hellespont, but that coast too he gave up on the approach of the Romans, and withdrew into Lydia. In like manner the Persians did not prevent the troops of Philip from crossing; for it is a fact not generally known that Philip had already commenced the war against Persia, and had led his troops into Asia before Alexander came to the throne.<sup>3</sup>

L. Cornelius Scipio and his friend C. Laelius were consuls in the year 562, and it was at this time that they quarrelled. Laelius aspired to the command of the army in Asia; but the great Scipio, who had been the best friend of Laelius in private life, by his influence, which was still unbounded in the republic, succeeded in inducing the senate to confer the command upon his brother; but Lucius Scipio would, nevertheless, not have obtained it, had not his brother offered to serve as legate under him; for he could not become consul, the law requiring that there should be an interval of ten years between two consulships of the same man, being at this time strictly observed. P. Cornelius Scipio had in the meantime been censor, and his extraordinary influence was clearly seen on this occasion, for Lucius was a very insignificant person, and was elected only for his brother's sake, as on a former occasion the great Fabius Maximus had procured the consulship for his son, and then served under him as legate. As soon as the Roman fleet reached the coast of Asia, and

while the Scipios were yet in Macedonia, there came ambassadors from Antiochus, expressing the wish of their king to restore peace, and his desire to know the terms; he offered to give up Chersonesus, and to recognise the freedom of the Asiatic cities, Smyrna and Abydos, which had been taken by the Romans, and to bear half of the expenses of the war. These terms, offered by a prince who confessed himself to be conquered, were not accepted by the Romans. Scipio declared that they would have been accepted at the time when Antiochus had not yet evacuated Chersonesus, but that he must now submit to his will. The Romans advanced through Macedonia and Thrace by very difficult roads, but were assisted by Philip, whom they rewarded by giving up to him the possession of the Thracian coast towns. When they had crossed the Hellespont, P. Scipio was taken ill, a thing which often happened to him. He could not accompany the army, and was obliged to remain at Elatea, an Aeolian city. This prevented all operations, and Antiochus availed himself of the respite for commencing fresh negotiations, which, however, led to nothing. Scipio proposed moderate terms, but they appeared intolerable to the pride of the Syrian king. A son of the great Scipio, we know not how, had fallen into the hands of the Syrians, and was treated by them with much distinction. The ambassadors first offered to restore him to freedom; but Antiochus, who hoped to obtain thereby the desired peace more surely, sent him back to his father at once, and without ransom.<sup>4</sup> This, however, did not produce the desired effect; and, as it was impossible to come to any terms, the decision was left to a battle. Scipio wished to avoid a decisive engagement until his recovery; Antiochus, on the other hand, was anxious to fight. The two armies met on the frontier of Lydia, near Magnesia, at the foot of Mount Sipylus. That

<sup>3</sup> Diodorus, xvi. 91; Justin, ix. 5.

<sup>4</sup> Livy, xxxvii. 34, foll.; Diodorus, *Fragm.* lib. xxix. *Except. de Legat.* vi. p. 620.

country is intersected by moderate hills, and is one of the finest in the world, like all the coast-districts of Asia Minor, in contrast to the barren countries of the interior, which are exposed to frequent injury by volcanic agency. The Romans had only one consular army—the other was still engaged against the Aetolians—that is, two legions with the corresponding number of allies, a few thousand Achæans, and some auxiliaries from Eumenes, who ruled only over Pergamus, and some Ionian and Mysian towns; the whole scarcely amounted to 30,000 soldiers. The Syrian army consisted of 80,000 men; the main force was drawn up like a Macedonian phalanx, probably composed of nations from all countries: it was a motley host of Asiatics. But there were among them some Macedonians, descendants of the troops of Alexander, who, however, were already mixed with the Asiatic population. Antiochus had, besides, peltasts with Greek armour, and a number of Asiatic nations, of whose armour neither Livy nor Appian tells us anything. During three days the armies advanced towards each other, and on the fourth the battle was fought. The immense army of Antiochus outflanked the right wing of the Romans, whose left wing rested upon a stream which had no depth. The Syrian army consisted of the phalanx, phalangite reserves, cavalry, elephants, and war-chariots: the elephants made no impression upon the Romans, who had learned to despise them; and they themselves had African elephants, of which, however, they made no use, because, unlike the African lions, they were much weaker and more timid than the Indian ones. Even the masses of the Macedonian phalanx, which at Cynoscephalæ had given the Romans so much trouble, and which for a moment seemed to render the issue doubtful, were soon overwhelmed. On another point Antiochus drove the Romans back to their camp, but was then repulsed. The operations of the phalanx were frustrated by the wretched disposition which the king

had made. His army was at first drawn up in a number of small masses with intervals between them; and instead of being kept in that order and employed, they were allowed to draw together, from fear, into one immense mass, a thing which in extreme danger could be available only in a plain, whereas there, on uneven ground, it gave rise to the greatest confusion, and the light armed troops of the Romans were enabled with their javelins and slings to make such an impression upon them, that all dispersed in flight and confusion. The attempt which was made at first to use the scythe-chariots against the Romans had been equally unsuccessful, the Romans dispersing them by their skirmishers. These scythe-chariots were an Asiatic invention, but occur also among the Celts, especially in Britain: when they were used the horses were frightened. The defeat of the Asiatics was so complete, that it was impossible to reassemble the remnants of the army. The loss of the Romans is said to have been very small;<sup>5</sup> and this, indeed, is probable enough, for the soldiers against whom they fought were not better than those whom Alexander had defeated at Arbela. The king fled through Phrygia, and sent Zeuxis as ambassador to Scipio to sue for peace, consenting to accept any terms, however humiliating they might be. Scipio was delighted to be able to conclude peace: it is possible that L. Scipio, as was subsequently stated in the accusation against him, received presents on that occasion; but there is no need for such a supposition, as nothing was so desirable to a Roman consul as to conclude peace before the arrival of a successor. A preliminary treaty was granted to Antiochus, on condition that he should pay down immediately 500 talents for the truce, during which all the other articles should be settled at Rome, 2500 talents after the treaty should have received the sanction of the senate

<sup>5</sup> Livy, xxxvii. 44.

and people at Rome,<sup>6</sup> and 12,000 additional talents by instalments of 1000 a year. Antiochus<sup>7</sup> was further to give twenty hostages, and among them his own son; to give up to the Romans all the countries west of Mount Taurus—that is, the whole of Asia Minor, with the exception of the two Cilicias to the north of Mount Taurus. The river Halys was to be the boundary. He had accordingly to give up all that he possessed in Phrygia, and it was afterwards disputed whether Pamphylia also was comprised under that head. Livy and the fragments of Polybius throw no light upon this question, and the geography of those countries is on the whole very obscure; but as far as I understand Appian, Pamphylia did not remain under the dominion of Antiochus, nor was it given to Eumenes, but remained independent between the two. He had further to pledge himself not to interfere in the affairs of Europe without the consent of the Romans; not to carry on war against nations allied with Rome, unless he were attacked; to give up all ships of war except ten, and even his triremes; keep no elephants, and raise no mercenaries in countries subject to Rome; pay a separate sum of money to Eumenes; and lastly, to deliver up Hannibal and some other men whom he had received at his court (this latter point was a mere pretence to smooth over the demand for the surrender of Hannibal); but they escaped. This treaty was signed in the year 562. The peace was not definitely concluded till some time after.<sup>7</sup> A single battle in a war rashly undertaken led to this humiliating peace! It is inconceivable how a prince concluding such a peace could be called the Great, and yet he still had a mighty empire, as large as Germany, France, and Spain, put together!

In the spring of the year after this, Cn. Manlius Vulso, the successor of L. Cornelius Scipio, anxious for an opportunity to undertake something from which he might derive fame and wealth—a desire which is henceforward the prevailing characteristic of the Roman generals—made a campaign against the Galatians, or Gallograeci, in Phrygia.<sup>8</sup> In the time of Pyrrhus these Gauls had penetrated through Macedonia into Greece as far as Delphi; afterwards they went eastward to Thrace: but whether they were, as the Greeks relate, induced to do so by fearful natural phenomena, or were attracted by reports about the delightful countries of Asia, is uncertain. Many remained in Thrace and ruled over the country; but others, 20,000 in number, crossed over into Asia into two divisions, the one going across the Hellespont, and the other across the Bosphorus, and their enterprise was facilitated by the feuds of the Asiatic princes. There they settled on the northern coast, in the territory about Ancyra, in Phrygia, just as at a later period the Normans did in Neustria. They inhabited thirty-three towns, in a country which, though it seems to have been destined by Providence to be one of the most flourishing and happy in the world, is now, under the despotism of barbarians, like an accursed desert. They consisted of three tribes, bearing the strange names of Trocmi, Tolistoboii, and Tectosagae. The first two seem to have been formed during their wanderings, for they are not mentioned elsewhere. They united with the Bithynians, where two small kingdoms were growing up. The Bithynians were Thracians settled between Nicomedia and Heraclea: during the time of the Persian dominion, they were governed by native princes, and after the dissolution of the Persian and Macedonian empires, the latter of which had always been least consolidated in Asia Minor, they extended themselves and acquired considerable

<sup>6</sup> It is only accidental that this point is not mentioned afterwards.—N. See Livy, xxxviii. 38.

<sup>7</sup> Livy, xxxviii. 38; Polybius, xxi. 14, xxii. 26; Diodorus, *Fragm.* lib. xxi. *Exc. de Legat.* ix. p. 621; Appian, *Syriac.* 39.

<sup>8</sup> Livy, xxxviii. 12, foll.; Polybius, xxii. 16, foll.

importance. Nicomedes, their king, took those Gauls into his pay, there being then only 10,000 armed men among them, defeated his rival, and founded the Bithynian state, which gradually became Hellenised. From that time the Gauls sold their services to any one who might seek them, and made the whole of western Asia tributary to themselves. Their history is yet in great confusion; but it can be cleared up, many materials existing for it. They were defeated by Antiochus Soter, whereupon they withdrew into the mountains, whence they afterwards burst forth whenever circumstances allowed them, and all the neighbouring nations paid tribute to escape their devastations. But when the war between Ptolemy Euergetes and Seleucus Callinicus, and afterwards that between the former and Antiochus Hierax, broke out, they showed themselves thoroughly faithless, selling themselves sometimes to the one, sometimes to the other, and were the scourge of all Asia, until, to the amazement of everybody, Attalus of Pergamus refused to pay tribute, attacked and defeated them, a fact which can be accounted for only on the supposition that through idleness they had become quite effeminate and unwarlike, like the Goths whom Belisarius found in Italy. They never entirely recovered from this blow, though they still continued to exercise considerable influence, for Asia was always divided; and although Antiochus was staying in those countries, he was too much occupied to turn his attention to them, and would not, moreover, have been able to protect that part of Phrygia bordering on the district inhabited by the Gauls. Hence they still levied tribute far and wide, and after the fall of Antiochus, the Asiatic nations dreaded lest they should be unable to defend themselves. This gave Cn. Manlius an opportunity of undertaking a campaign against them, and to come forward as the protector of the Asiatics against the Galatians. His demand that they should submit had been answered by those barbarians with a *stolida ferocia*, and he accordingly

marched through Phrygia, and attacked them in their mountains, without, however, extirpating them. They continued in those districts, and preserved their Celtic language for a remarkably long period. We find it even in the time of Augustus; but they too became Hellenised, and in this condition we find them at the time of St. Paul.<sup>9</sup> The campaign of Manlius Vulso against them was most desirable to the inhabitants of Asia Minor; but on the part of the Romans it was very unjust, for Manlius Vulso undertook it contrary to the express will of the *decem legati* who followed him to Asia. The war was brought to a close in two campaigns, but the Romans derived no advantages from it, except the booty, and perhaps a sum of money which was paid to them; for the countries between Western Asia and the districts of the Galatians were not subject to the Romans, but only allied with them. The Galatians suffered so severe a defeat that from this time forward they continued to live in quiet obedience to the Romans.

The Romans now distributed their conquests. Eumenes, who until then had been quite an insignificant prince, was now made a great king, and received an independent kingdom, comprising Mysia, Lydia, Phrygia on the Hellespont, and Great Phrygia (the two were afterwards comprised under the name of the kingdom of Asia, and its inhabitants were called Asiani), and Ionia, with the exception of Smyrna, Phocaea, Erythrae, and a few other Greek maritime towns, which were constituted as republics,<sup>10</sup> —a kingdom for which he might be

<sup>9</sup> St. Jerome says, that he heard the same language in Phrygia as at Treves; but this cannot be referred to the Galatians, and St. Jerome probably saw Germans who had settled in Phrygia at different times, especially Goths in the reign of Theodosius. It may be looked upon as an established fact that Treves was German, and it is not likely that the Gallic language maintained itself in Asia down to so late a period.—N.

<sup>10</sup> Polybius, xxii. 26, foll.; Livy, xxxviii. 39; Diodorus, *Fragm.* lib. xxix.; *Exc. de Legat.* x. p. 621; Appian, *Syriac.* 44.



envied by many a European king ; but it was weak on account of the Asiatic effeminacy of the people. The Rhodians also were not forgotten, for they received Lycia and Caria, with the exception of Telmessus, which, no one knows why, was given to Eumenes. This was an immense acquisition for a small republic ; for Caria and Lycia were wealthy and excellent countries, from which they might derive very large sums of money. With the ancients taxes were very heavy ; the principal tax was the land-tax, amounting to one-third of the produce. By such taxes the Rhodians acquired great wealth, which they employed partly in military preparations, and partly in embellishing their city, which was already one of great splendour. The Rhodians deserved, indeed, to possess such rich countries, for they were a thoroughly respectable people, who, as the Romans themselves owned, had not the *levitas Graecorum*, but a *severitas disciplinae* equal to their own.

Before I proceed to give you an outline of the state of morality and literature among the Romans, I have to mention the death of P. Cornelius Scipio, which is obscured by various contradictions. It is a remarkable instance of the manner in which false and impossible tales have crept into the annals of those times, so as to make it hopeless for us to attempt to arrive at a positive conviction as to what is historically true and what is mere fiction. Contradictory occurrences, and such as took place at different times, are here put together. What Livy<sup>11</sup> mentions from the speech of Tiberius Gracchus, must be looked upon as something more than the narrative of an annalist. There is no doubt that, at one time, Scipio was called upon by the Petillii before the senate to answer to the charge of having received from Antiochus sums of money, and of not having given to the republic an account of what he had gained in the course of the war.<sup>12</sup> This kind of accusation is one of the earliest

that we find among the Romans. The consuls had full right to dispose of the *manubiae* and the money exacted from a conquered enemy in what manner they pleased. They might distribute them among their soldiers, or make them over to the treasury of the republic ; but they were obliged to be prepared to give an account of the manner in which they had acted ; and to demand such an account was considered by the people as their constitutional and inalienable right. L. Scipio had given no account ; and when called upon to defend himself against certain suspicions, he sent for his account-books, and caused them to be read before the senate ; but his brother snatched them from his hands and tore them to pieces, declaring it to be unreasonable that as he and his brother had so much enriched the state, he should be taken to account for the trifling sum of about a million of drachmae, that is, 36,000l.<sup>13</sup> The fact that Scipio could speak of such a sum as a trifle, shews how high the standard of property must have been even as early as that time. But this act of P. Scipio did not remain without its consequences. A charge was also brought against him of having been bribed by Antiochus ; when he was summoned to appear before the tribunes, he proudly said that the day was ill suited for litigation, since it was the anniversary of the day on which he had conquered Hannibal at Zama, and when they were accustomed to offer sacrifices in the Capitol, adding, "Let every one who has the good of Rome at heart follow me !" He was accompanied by the whole people ; the tribunes alone are said to have remained behind !<sup>14</sup> This charge may have been the one to which allusion was made in the speech of Gracchus, where it was stated that Gracchus himself had intended to arrest L. Scipio, but that P. Scipio, on hearing that the praetor Terentius Culleo was going to

<sup>11</sup> Livy, xxxviii. 56.

<sup>12</sup> Livy, xxxviii. 54, foll

<sup>13</sup> Livy, xxxviii. 55 ; Gellius, *N. A.* iv. 18, vii. 19 ; Diodorus, *Exc. Vatican*, p. 78, foll. ed. Dindorf.

<sup>14</sup> Gellius, *N. A.* iv. 18.

conduct the trial, hastily returned from Etruria, and rescued his brother from the hands of the constable. And P. Scipio too was accused, because *animos plus quam civiles gerebat*. He had not expected such a charge, and it may be that he then withdrew into voluntary exile to Linternum, a Latin colony, or *colonia maritima*, between Cumae and Minturnae, or he had previously resided there. This much at least is certain, that he passed the last years of his life away from Rome. The belief that he lived at Linternum as an exile, and not from choice, derives support from the circumstance that before his death a different person was *princeps senatus*; such an exile was easily effected, and if he settled there as a citizen of Linternum, he thereby renounced his Roman franchise. It was during the time when he lived at Linternum that he is said to have betrothed his daughter Cornelia to Tib. Gracchus; but if we consider the age of her sons, it seems more probable that the engagement did not take place till after Scipio's death.<sup>15</sup>

L. Scipio, with his quaestor and legate, was declared guilty of having appropriated to himself the sum stated in the accusation: he did not become an *addictus*; but his property, when confiscated by the state, is said to have been insufficient to make up the sum. It would be rash to infer from this that he was innocent, since he might have squandered the money in the mean time.

After the first Punic war, the number of the tribes had been increased to thirty-five, a large portion of the Sabines having obtained the full franchise, of whom two new tribes were formed, the Quirina and the Velina. This happened nearly sixty years after the last increase, so that a considerable stagnation in the development of the state had already taken place. About the same time, and probably even before the first Punic war, many towns were raised to the rank of prefectures with the Caerite franchise. During the Hannibalian war there were four prae-

tors; but before it was brought to a close their number was raised to six. Spain now became a province like Sicily, or rather was divided into two provinces, *Hispania Citerior* and *Ultior*, into which two praetors were sent. Southern Italy had likewise, in consequence of the Hannibalian war, received the administration of a province, and retained it for some time after: the praetor governing it resided no doubt at Tarentum, or in Bruttium. Gaul was not yet *reducta in provinciae formam*, so that no praetor was sent thither. The greatest change—the one most deeply affecting the state, and which was followed by permanent consequences,—was caused by the desertion of many Italian nations to Hannibal. They were punished, and the places which had belonged to them were deprived of all the privileges of the Italian allies; some were treated like conquered towns; their territories became state property, or were left to the inhabitants only on a precarious tenure; others which submitted were generously spared. This happened to a great number of places in Samnium and Apulia, which were severed from their communities. Those which had remained faithful, probably retained their ancient constitution; the Lucanians, for example, no doubt continued to elect their own praetor, as they had done in the Hannibalian war; but all the Lucanian towns who had revolted were separated from them. The Brutians, who had been most persevering in their revolt, lost their whole constitution: they ceased to be allies, and became *dediticii*; they had to furnish persons who performed servile duties, and all their landed property was confiscated. It is uncertain whether they had previously been in the same condition as the Samnites and Lucanians, though it is probable that they were treated as foreigners, being descended from Greeks: but they had after all been in an honourable condition, from which they now fell. Tarentum lost all its rights, but continued its forlorn existence within its walls, until it gradually dwindled away. This change among the allies rendered it more

<sup>15</sup> Livy, xxxviii. 57.

difficult than it had previously been for those who remained to perform their duties towards Rome. The revolt, moreover, had created a lasting feeling of bitterness between Rome and many Italian nations. The allies became still more exhausted through the practice which now arose, that many, availing themselves of the right of isopolity, settled at Rome, or in the Latin colonies. A portion of the latter had neglected their duty, twelve out of the thirty not having furnished any contingent during the expedition of Hasdrubal; and now that circumstances permitted it their rights were curtailed. The effects of the Hannibalian war were never effaced. The Samnites, Apulians, and Lucanians had even previously suffered very severely; Etruria alone enjoyed a high degree of prosperity. In the last years of the war a state debt is mentioned, which was paid by three instalments; but the Macedonian war had so much drained the public treasury that the third instalment was paid in domain lands. The Roman people themselves had suffered to the core. The war had carried off an immense number of men; and as the census nevertheless shews no falling off, it is a proof that in the mean time many strangers, especially freedmen, were admitted as citizens; whence the body of Roman citizens is henceforth something quite different from what it had been. Those who had held out during the war, were for the most part quite impoverished. In Livy's narrative this distress is not visible at all; but we know from other sources that Rome was almost constantly visited by famine and epidemics. The property of many families was situated in the Falernian district and in Campania, which countries were completely devastated. Others who had possessed estates in the revolted countries, had lost everything, so that this war destroyed the whole of the national wealth. The Greek towns, Croton and others, were never able to recover. Another consequence was, that the soldiers remained in arms for years, and that the legions became a standing army. This

continued after the war, and the soldiers gradually became accustomed to look upon themselves as a permanent order of men, which they had hitherto never been, as the legions had been disbanded every year, and newly formed in the next. This guarantee for the duration of republican freedom was destroyed through the Hannibalian war; and thus we have here the germs of the subsequent ferments. Vast estates had been acquired by the extensive confiscations, and were in the hands of the nobles, both patrician and plebeian, as no one now exercised any control, the Licinian law having ceased to be applied.

The history of Scipio is very instructive, for it shews how the state was hastening towards its dissolution. No one thought of the republic being in danger, and the danger was indeed as yet far distant; but the seeds of dissolution were nevertheless sown, and its symptoms were already beginning to become visible. We hear it generally said that, with the victories of the Romans in Asia, luxury and all the vices which accompany avarice and rapacity, began to break in upon them. This is indeed true enough, but it was only the symptom of corruption, and not its cause: the latter lay much deeper. After so many years of destructive and cruel wars, during which the Romans had been almost uninterruptedly in arms, the whole nation was in a frightful condition: the poor were utterly impoverished, the middle class had sunk deeper and deeper, and the wealthy had amassed immense riches. The same men who had gloriously fought under Scipio, and then marched into the rich countries of Asia as hungry soldiers, now returned with exorbitant and ill-gotten riches—the treasures extorted from conquered nations. They had no real wants, and did not know how to use the quickly acquired riches. In regard to the great men as well as to every thing else, things assumed a different character: the sad moment of complete degeneracy is preparing; the generals appear like robbers, and carry on wars only with a view to booty and plun-

der; the exceptions were very few. The nobles were haughty towards their allies: formerly a Roman magistrate travelling through Italy put up at the house of his friend (*hospes*), but it now became customary everywhere to receive such travellers with pomp. The games were exhibited on such a scale as to require immense fortunes; in the year 580 there were no less than 150 gladiators at a funeral solemnity. The officers and nobles had now opportunities to satisfy their desires with splendid buildings and luxuries of every kind, and to fill their houses with costly furniture, carpets, plate, etc. The Romans had grown rich, but the immediate consequence was a brutal use of their riches. Agriculturists are excellent men, so long as they live in favourable circumstances, but when they acquire wealth on a sudden, they exhibit a striking proof of how difficult it is to make a rational use of it. A similar instance occurs in the history of Ditmarsch, where several years ago corruption became general at a time when, after some years of scarcity, the people acquired wealth by extraordinary sales of corn; but soon afterwards they were again reduced to poverty. Thus, the Romans who had accumulated immense wealth, and did not know how to use it, began to addict themselves to gluttony. Hence it came to pass, as Livy says,<sup>16</sup> that cooks, who had before been the most despised class of slaves, now became the most expensive. The Roman pontiffs, as we see from their bills of fare in Macrobius, rivalled in their eating and drinking the canons of modern times.<sup>17</sup> Before this time the Roman consuls had lived like simple peasants, but now exorbitant sums were spent upon Greek cooks: gluttony and the most disgusting vulgarity took the place of former frugality. The Athenians lived frugally at all times, and the Greeks are on the whole a frugal nation; the Italians, on the other hand, can be frugal; but at

times, when they are let loose, they indulge in brutal intemperance.

Although the form and appearance of the Roman constitution continued to be democratical, yet the nobles could do anything with impunity. I need only remind you of L. Quinctius Flaminius, the brother of Titus, who merely to afford his favourite the pleasure of seeing a man struggling in the agonies of death,<sup>18</sup> slaughtered a man of Gallic origin who implored his assistance either against an unjust verdict, or because he, being a hostage, had been insulted—a crime more horrible than that of the Sultan who called in a man and ordered him to be beheaded, in order that his painter might have something frightful to paint. Cato ejected him from the senate. Although the Romans were, in general, much more conscientious than the Greeks, and although Polybius, fifty years after this time, places them very far above his own countrymen, still embezzlement of the public money, extortions from the allies, and acts of violence and wantonness of every description, are henceforth of quite common occurrence. This is the state of things which we see in the fragment of Cato's oration *De Sumtu Suo*,<sup>19</sup> the gem in the collection of Fronto, who made the extracts for the emperor Antoninus Pius: the passage shows that at the end of the sixth century it was the general supposition that public functionaries seized every opportunity to enrich themselves.

All the differences between the two estates had ceased, the only distinction being that between nobles and non-nobles, the patricians, as an order, had lost their importance. The last distinction, according to which one of the consuls should always be a patrician, entirely ceases at the time of the war against Perseus, as the patrician families had almost become extinct. In regard to the praetorship, the distinction had been abolished; for the

<sup>16</sup> Livy, xxxix. 42.

<sup>19</sup> Fronto, p. 149, ed. A. Mai, Rome, 1823. Comp. Meyer, *Fragmenta Oratorum Romanorum*, p. 30, foll. 2nd edit.

<sup>16</sup> xxxix. 6.

<sup>17</sup> *Sat.* ii. 9; *Horat. Carm.* ii. 14, 26, foll. with the notes of the commentators.



aediles alone it still continued. But it was nevertheless very difficult for a plebeian who was not noble to rise in the state; it was only now and then that a *novus homo*, like Cato, forced his way up; and the whole nobility seem to have been united as one man to oppose such intrusions.

The city on the other hand became very much embellished, and splendid buildings were erected; the courts of justice had formerly been held in the open air, as among our ancestors; but now basilicae were built: the name is derived from the *στοὰ βασιλική*, under which the *βασιλεὺς* sat at Athens; it was a combination of threefold porches, in which the judges assembled in the open air, but under cover. Cato was the first who built a basilica (*Porcia*) in the Forum: by and by several others were erected; afterwards they were surrounded by walls, and when the Christian religion was introduced at Rome, that form was regarded as the most suitable for Christian worship, as the different stoae might be assigned as distinct places, men and matrons assembling in the two side porches, while the clergy occupied the central one. The high altar and the seat of the bishop were near the spot originally assigned to the tribunal. Hence the name *basilicae* has been transferred to all Christian churches, though their construction might be quite different. The building materials were still of ancient simplicity, and their style the ancient Tuscan or Doric: no marble was as yet used.

Cato was at this time the most remarkable man, a man of the good old times, in the true sense of the word. His name of Priscus is expressive of his Latin origin from Tusculum. Rome perhaps never produced another genius of so singular a kind.<sup>20</sup> The Romans at that time acquired all scientific refinement through the medium of Greek

literature: but Cato formed an exception, for although, at a late period of his life, he acquired that language, and made himself acquainted with the literature of the Greeks, yet in reality he despised the Greeks, and his peculiar mode of thinking, his style and language, are pure old Roman—a circumstance which shews that it was not absolutely necessary for a Roman to be imbued with the spirit of the Greeks, in order to be a great man. He displayed his immense powers in the most various ways:<sup>21</sup> he was a great general, a great statesman, and orator,—in his censorship he highly distinguished himself,—an excellent agriculturist: in short, an active man in all the affairs of human life, and indefatigable in his exertions for the good of his country. He was, moreover, a man of considerable learning, and restless in collecting materials: as a prose writer, he was excellent in his way, but harsh and rough. There was no polish in anything he did, nothing that was merely put on: all was with him the gift of nature, nothing the result of artificial training. Livy, without wishing to attach any blame to him—for he loved him—playfully describes his conduct towards Scipio by the words *qui vivo eo allatrare ejus (Scipionis) magnitudinem solitus est*.<sup>22</sup> His peculiarities were those of a man of humble origin, who, being endowed with immense energy, by it forces his way through endless difficulties; he could not live at peace with the noble and the wealthy, for they and their acquired manners were disgusting to him in the highest degree, and to combat what was repugnant to him was the natural turn of his mind. With regard to the conduct which he required of every one to show towards the state, we cannot charge him with affectation: it arose from the purest convictions. L. Valerius Flaccus, his colleague in the censorship and tribuneship, was the only man who agreed with him in sentiment; he hated everything that was ornamental or elegant, hence his patriotism clung especially to

<sup>20</sup> His biography, by Plutarch, is excellent; for it is a subject which he could comprehend without a knowledge of the constitution, and without deep political insight: all that it required was the conception of an individual character, in which Plutarch is a great master.—N.

<sup>21</sup> Livy, xxxix. 40.

<sup>22</sup> Livy, xxxviii. 54.

the past : he considered his contemporaries as degenerate ; his *beau idéal* lay a hundred years behind him, and his happiness consisted in ancient simplicity, economy, and austere morality. Cato had the nature of a lion, and was active with unremitting zeal. At the age of eighty-six, he carried on a great law-suit ; and at the age of ninety, accused Servius Galba. He was a Roman in the fullest sense of the word, and was bent upon seeing the sovereignty and grandeur of his nation firmly established ; but was inspired with an extraordinary love of justice. Although he did not like the Greeks, yet he defended the Rhodians, and in like manner protected the Lusitanians against the faithlessness and extortion of Galba, as well as all those who were helpless or friendless. He is one of the greatest and most honourable characters in Roman history : he resembles the great men of Germany of the sixteenth century, in whom that which we call rudeness was nothing but the peculiar manner of the time. Respecting the other Romans of that age, who are usually called great men, I have nothing to say : there is not one among them who deserves the name of a great man.

In the earlier times the strength of Rome consisted in her free peasantry, but this class of her population was gradually losing its importance and influence. One of those levies which the late wars had required must have ruined many entire families. Another change which had lately taken place, and which could not remain without political consequences, was the importance which capital had acquired. Ever since the end of the first Punic war, when the Romans gained possession of Sicily, we find capitalists engaged in enterprises and speculations to increase their moveable property ; and this spirit was encouraged by the facility and impunity with which they could pursue their objects in the provinces. Usury was indeed forbidden by the Roman law, as it was in later times forbidden by the canon law ; but such a law is unnatural, and of no avail, for, in defiance of the canon law, various ways

were devised which enabled capitalists to take interest with impunity ; and similar methods were resorted to at Rome, where capitalists did business with foreigners, or substituted other names for their own. The canon law imposed no restrictions on the Jews, and the Roman law did not extend its protection to the Italian allies, or to freedmen ; so that a thousand ways were left open to evade the law. In the provinces the spirit of usury found no obstacles at all. The *Publicum Romanum* had been immensely extended, and portions of it were let out to farm, such as the mines of Spain, the tunny-fisheries on the coast of Sardinia, the tithes of Sicily and Illyricum, and other countries ; large sums of money were thus put into circulation, and the profits made by these things were as great as those made in modern times by speculators in paper securities. Whenever, for instance, a war contribution was to be raised, the *publicani* were immediately ready to offer the money at an interest of at least 12, but sometimes 24, or even 36 per cent., and the governors of the provinces took good care that such debts were paid. Thus, there began to be an enormous circulation of money, of which not a trace had previously existed. This is the manner in which the class of *publicani* was gradually formed. Distinct traces of them are found in Livy as early as the second Punic war,<sup>23</sup> although it was not until the century following that they acquired their notorious importance, when they form a parallel to the money-dealers whom the eighteenth century produced.

According to the common account, the Great Scipio died in the year 569, in which also Hannibal put an end to his life by poison, because the Romans very dishonourably required Prusias of Bithynia to deliver him up to them. Eumenes stood in a servile relation to the Romans : his extensive and wealthy dominions were so unwarlike that the small state of Bithynia was formidable to him ; the latter also extended its

<sup>23</sup> Livy, xxiii. 48 and 49 ; xxv. 3 and 4.

power, and acquired a large portion of Phrygia on the Hellespont. In this war Hannibal conducted the undertakings of Prusias; and the Roman ambassadors forthwith demanded his surrender. When Hannibal saw that he could not escape anywhere, he took poison and died. This demand of the Romans is one of the disgraceful acts of those times; and it is unpardonable in T. Quinctius Flaminius that he allowed himself to be

made use of for such an object.<sup>24</sup> But virtue and the sense of honour were rapidly vanishing from the Roman republic, and its condition was already most deplorable. However, even in their best period they would not have been more generous towards an enemy like Hannibal, as is clear from the example of C. Pontius in the war against the Samnites.

<sup>24</sup> Livy, xxxix. 51, foll.; Appian, *Syriaca*, 11.

## LECTURE LXXXII.

THE current ideas respecting Roman literature are no less one-sided than those respecting the early intellectual condition of the Romans. We must not imagine that, previously to their conquests in Greece, they were as ignorant of Greek literature as, for instance, our ancestors were previously to the revival of letters, or that they had no literature of their own. It is certain, indeed, that the Romans did not possess any such distinct class of literary men as there existed in Greece; but with regard to their knowledge of Greek literature and poetry we have the strongest possible evidence that the Romans, and the Italian nations in general, were intimately acquainted with them at a very early period. In the ancient works of art of the Etruscans and Oscans, we find representations of subjects from the ancient Greek fables, and of Greek persons, although, in passing through the mouths of the people, the names of these persons had sometimes undergone peculiar changes. Instead of Odysseus, for example, we find Ulixes, which seems to have been a Sicilian form;<sup>1</sup> instead of Ganymedes we find Catamitus; instead of Laomedon, Alumentus, and others. These and similar instances prove that Greek myths were

generally known in Italy.<sup>2</sup> But to understand them must have been difficult for the Romans, especially for the Sabines and the original inhabitants of Italy, whose religion was not a mythology, but a real theology; for their divinities were *νοούμενα*, and their mythical legends referred only to subordinate divinities; their great divinities consequently were destitute of those attributes which gave life to the poetry of the Greeks. Among the Pelasgians and Latins, on the other hand, there was a greater resemblance to the elements of Grecian mythology and poetry, which struck root also among the Romans through the medium of the Sibylline books, and the oracle of Apollo, so that Greek mythology and poetry soon became intelligible to them. From the end of the first Punic war, the poetry of the Greeks spread very generally through the medium of the Latin language, though in Rome itself it probably excited less interest than in other Italian towns. The theatre of Tusculum, which, if we may judge from the foundations discovered in the orchestra, cannot have been erected later than the second Punic war, but in all probability was built much earlier, presupposes the performance of dramas, whether of Greek or of native growth.

<sup>1</sup> An allusion to him occurs in a temple in Sicily (Plut. *Marc.* 20.)—N.

<sup>2</sup> Compare vol. iii. p. 310, foll.

The *atellanae*, which we meet with as early as the close of the fourth century, are an evident proof of a fresh vein of national poetry. I believe the statement to be correct that they were extempore productions, like the poetry of the improvisatori of modern Italy, and they were certainly not confined to the Romans. As the *atellanae* present to us a kind of national comedy, so the *praetextatae* were very old national tragedies.<sup>3</sup> I believe we are not mistaken in thinking that there was some connexion between these *praetextatae* and the solemn funeral processions, in which the masks of the dead, who had *curules majores*, were carried about with all the emblems of their dignity, by persons of the same stature; but even independently of this connexion, we may believe them to have been very ancient. There is no mention of any *praetextatae* earlier than those of Attius. But the fact of his having composed them according to the rules of art, and in a poetical style, is a proof of their existence previously to his time.

The translation of Greek poetry into the Latin language was a great and most important step. Livius Andronicus is called a Tarentine captive, probably for no other reason but because he was confounded with M. Livius Macatus, who maintained himself at Tarentum.<sup>4</sup> The interval between his alleged departure from Tarentum, and the time when he appeared before the public with his dramas, seems to be too long, unless we suppose him to have spent only his early childhood at Tarentum. The accounts respecting him are very uncertain, for in the early times, the personal character and circumstances of bards were generally neglected, and the Romans in particular paid little attention to the history of the lives of their early poets. At a later period, they began to compile historical information concerning them; but the most incredible things were put together, as we see even in the biographies of Plautus and Terence.

To judge from his fragments, it seems that Andronicus had not acquired any mastery of the Greek forms. He translated the *Odyssey*, which, from its relation to Latium, had greater attractions for the Romans than the *Iliad*:<sup>5</sup> he does not, however, seem to have translated the whole of the poem, but to have made an abridgment of it in the national Italian rhythm, and not in a Greek metre. The great poem of Naevius was likewise in the Saturnian rhythm. All that Livius wrote besides his *Odyssey* are tragedies, which, like the *atellanae*, were not performed in permanent theatres, but on a kind of scaffolding in the Circus.

Besides the great historical poem of Naevius, in which he combined the latest history of his country with Greek mythology, he treated, e.g., of the mythus of the Gigantes; he wrote both tragedies and comedies, as we must infer from the titles. That he was a great poet, we may believe on the assertion of Cicero,<sup>6</sup> who had in reality no taste for the old national poetry of his countrymen. In the latter period of his life, Naevius was persecuted; for considering that he had not the full franchise, he had been too bold, and had insulted the Metelli, who availed themselves of the circumstance of his being a Campanian, and threw him into prison.

When Naevius was an old man, Plautus, one of the greatest poetical geniuses of antiquity, was just entering on his best period. He shews his great talent in his bold and free, though somewhat singular manner of dealing with his characters. He takes Greek pieces with Greek *dramatis personae*, and treats them with a perfect irony. He does not translate from the Greek; but the Greeks, in his plays, speak, act, and are witty, as Romans would be; and there occurs in them nothing that could have been foreign to the Romans. All his personages display those peculiarities of character

<sup>5</sup> It is a very just idea, that Circe was connected with Circeii, which is in fact the ancient form of the fable.—N.

<sup>6</sup> *Brutus*, c. 19.

<sup>3</sup> Compare vol. i. p. 520, note 1150.

<sup>4</sup> See *Livy*, xxvii. 34, and xxiv. 20.



which distinguished the *aerarii*, who formed a lower order in the population of Rome, and consisted chiefly of freedmen and strangers who had become naturalised, but could not rise to the rank of free Roman warriors. The scenes are laid at Athens, Epidamnus, or Ephesus, and the names of the persons are Greek; but we are reminded every moment that we are in the very heart of Rome. He also has Greek characters; for the parasite is, I believe, a Greek and not a Roman character. What makes Plautus such a wonderful poet is, that on the slippery ground which he had chosen, he always shews the most extraordinary skill in hitting the right point. His language is no less admirable than his poetical skill. If we compare his language with that of his predecessors, we find it greatly altered, enriched, and refined, which is a proof that the language had been much cultivated even before his time; had this not been the case, the language of Plautus would certainly have been very different from what it is. We have fortunately the opportunity of comparing his language with that of a *senatusconsultum* of the fifth century,<sup>7</sup> and that of the tombstone of Scipio Barbatus, which present considerable differences.

Livius Andronicus was the client of one Livius. Naevius was a Roman citizen, a *municeps Campanus*, and lived at Rome, though only with the rights of an *aerarius*; but as regards Plautus, it is not even known whether he was a Roman citizen—he had perhaps not given up the franchise of his native place. He is said to have been poor; but I do not believe the story, that he gained his living by working at a hand-mill.

Ennius was a gentleman, a Roman citizen, and belonged unquestionably to one of the tribes. He was somewhat younger than Naevius, and lived

on terms of great intimacy with Scipio, Fulvius Nobilior, Laelius, and the principal men of the republic, and was not only much esteemed personally, but was the first who made the Romans esteem and honour men of literary occupation. Among his fragments there are some very excellent specimens of his poetry, though his subjects were not of a lofty nature. He seems to have been weak in comedy and to have despised it—a rare saint! but in epic poetry he was very respectable. Some of his poems were written in the national Italian rhythm, for instance, his *Sabine Women*,<sup>8</sup> and also his *Saturae*. But, on the whole, he followed his own method; the metres of Plautus are not altogether Greek, and although they often coincide with the Greek ones, still we cannot say that he borrowed them. The measuring of syllables according to length and shortness, is Greek; the Romans did not measure with the same exactness, not having the fine ear of the Greeks. The latter have their pure iambic and trochaic metres, but the same metres, with some modifications, were national among the Romans also, as the anapaests are among the modern Greeks, and all metres among some Slavonic nations. I believe that the *senarius* is as little peculiar to the Latin language as it is to our own, and that Plautus merely adopted it from the Greeks as Ennius adopted the hexameter. The introduction of this latter verse produced at Rome the same revolution in poetry as in Germany; and the hexameters of Ennius are nearly as awkward and imperfect as the earliest German hexameters. They have sometimes no caesura at all, and sometimes wrong ones in the fourth foot, which renders them altogether unsatisfactory. I must confess that, much as I like the *numeri* and *sales* of Plautus, I cannot be pleased with the hexameters of Ennius. Ennius wished to try all the Greek metres, with the exception of the really lyric ones, and constructed them with more

<sup>7</sup> If Niebuhr alludes to the *Senatusconsultum de Bacchanalibus*, we have here a "*lapsus memoriae*." Instead of the word *senatusconsultum*, we must probably read *inscriptio*, or some such word, as Niebuhr was no doubt thinking of the *columna rostrata*.

<sup>8</sup> Jul. Victor, p. 224, Or., with the note of A. Mai.

accuracy than the earlier dramatists; for the senarius has more measured syllables and became more firmly established: but between the verses of Ennius and those of Virgil, we find the same contrast as between the metrical forms of the poetry of Klopstock and those of Count Platen Hallermünde. The ancient metres have a great many peculiarities, such as the entire suppression of short syllables: *ego*, for instance, is used like *io*, as one syllable, and *accipito* is made a dactyl—peculiarities which are as yet by no means well understood. Ennius is less original than either Naevius or Plautus; but he does not deserve the contempt with which Horace speaks of him. He was a native of Calabria, belonged to a Hellenised people, had received a Greek education, and the Greek language was his second mother tongue. Having learned Latin as a foreign language, it is no wonder that he wished to introduce Greek forms into Roman poetry. The literature of the Romans was at this time very brilliant in comparison with that of the Greeks; for the best Alexandrian period was over, and, when Livius Andronicus began his career, Callimachus was either already dead or near his end. Eratosthenes was more of a versifier than a poet. Antagoras<sup>9</sup> and Aratus were dead: in short, Greek literature was fast dying away, whereas at Rome it was thriving with extraordinary vigour; and would have done so still more, if Ennius had not made the foreign influence so predominant. For some time, however, the Romans held out against it.

Pacuvius was somewhat younger than Ennius, and a son of Ennius's sister. He well deserves the name of the deep-thinker. Pacuvius followed Aeschylus and Sophocles as his models, and despised Euripides, which is a very characteristic feature, and one by which he placed himself in opposition to the taste of the Greeks of his age.

How familiar the Romans were with Greek literature may also be seen from the works which were written immediately after the second Punic war. Fabius Pictor and L. Cincius wrote the history of their country in the Greek language. Fabius is often mentioned, but no one, not even Dionysius, has ever objected to him that his language was barbarous or unreadable; nay, the very fact that Dionysius carried his history down only to the commencement of the first Punic war shews that, in his judgment, Fabius was for the subsequent period all that could be desired: at the same time, however, he saw that for the early times of Roman history, Fabius was not satisfactory. A contemporary of his was Acilius. Subsequently we still find many other Romans who wrote historical works in Greek; the great Scipio wrote the history of his wars in the form of a letter to Philip of Macedonia;<sup>10</sup> in like manner his son-in-law, P. Scipio Nasica, wrote the history of the war against Perseus;<sup>11</sup> and Aemilius Paullus engaged Greek grammarians, rhetoricians, painters, and drawing-masters, to instruct his sons.

<sup>9</sup> Fabricius, *Bibl. Graec.* iv. p. 461.

<sup>10</sup> Polybius, x. 9.

<sup>11</sup> Polybius, xxix. 6.

## LECTURE LXXXIII.

DURING these rapid and complete changes in all the forms of private and public life, the Romans were not inactive in extending their dominion; for while their state was in process of dissolution, they did not know what to do except to conquer. The evil had taken such deep root, that it would have been hardly possible to produce any change; but nothing whatever was done towards effecting a cure, and demoralisation increased at a rapid rate.

The Ligurian war<sup>1</sup> is not only insignificant, in comparison with others, but extremely obscure, on account of our want of an accurate geographical knowledge of the country. It has some resemblance to the present undertakings against the Caucasian tribes. The Apennines are not, indeed, as high as the Caucasus, but they offer the same advantages for their inhabitants to defend themselves. The Ligurians were ultimately annihilated, which is always the unavoidable fate of such nations, when a powerful state is bent upon their destruction. The Ligurian tribes extended in reality as far as the river Rhone; but as the Romans were chiefly concerned in securing the frontiers of Etruria, they made themselves masters only of the territory of Genoa. The wars did not extend beyond the river Varus, or the frontiers of Provence, for the hostilities against the Salyes in the neighbourhood of Massilia belong to a later period.<sup>2</sup> The Ligurian tribes defended themselves and their poverty with such resolute determination, that the Romans, who could not expect any rich spoils, aimed at nothing short of extirpating them, or expelling them from their mountains. The consuls, P. Cornelius Cethegus and M. Baebius

Tamphilus, therefore transplanted 50,000 Ligurians into Samnium, where Frontinus,<sup>3</sup> as late as the second century of our own era, found their descendants under the name of the Cornelian and Baebian Ligurians. The war was brought to a close before that against Perseus. It was especially for the purpose of exercising control over Gaul that the high road of Flamininus, which went as far as Ariminum, was now continued, under the name of *via Flaminia*, as far as Placentia, and that the whole country south of the Po was so much filled with colonies, that the Celtic population disappeared.

Ever since the successful campaign of Scipio in Spain, the Romans had endeavoured to establish their dominion firmly in that country; they had sent thither one, and sometimes two praetors, and kept regular troops there. From the second Punic war, or perhaps even from the time of Pyrrhus, one legion seems to have been stationary at Tarentum, and another in Sicily; and now we find two legions stationary in Spain. This system of keeping stationary troops altered the character of the wars of the Romans, and had a decided influence upon all their civil relations. In former times the legions had always been disbanded at the end of every campaign, and new ones were formed. This method had the advantage, that every Roman passed through his time of military service and then returned home, so that the soldiers were never separated or distinct from the citizens. Now things became different. The legions stationed in Spain, for instance, remained there for a number of years, married Spanish women, and became estranged from Italy. When, therefore, such legions were disbanded, many soldiers would remain in Spain,

<sup>1</sup> Livy, xxxv. 3, foll.

<sup>2</sup> To the year u.c. 631. See Appian, *Gal.* 12.

<sup>3</sup> *De Colon.* p. 106, ed. Goes.

unwilling to return to a country to which they had become strangers. The Roman dominion in Spain extended over Catalonia, Valencia, and Andalusia, as far as Sierra Morena, for in the wars with the Celtiberians the latter pressed forward through the countries of their neighbours. The object of the Romans in these wars, therefore, was not so much to extend their dominions as to secure what they had; but at the end of the second Punic war their authority seems to have become somewhat unsettled, until it was re-established in his consulship, 557, by Cato, who won the hearts of the Spaniards by his justice. It is indeed surprising to see that a Roman general with humane feelings was always able to win the affections and confidence of those tribes, and to establish the authority of Rome for a time, until fresh acts of injustice provoked their resentment. The people of Spain always shewed themselves in a noble light. But Cato succeeded not merely by his justice and bravery, but also by his cunning, which was a prominent feature in his character as well as in that of the Romans generally from the earliest times. The Spanish towns were strongly fortified, for the Spaniards were a civilised nation, and to conquer them was a matter of great difficulty. These fortifications became the occasion of a general war. It is said that Cato sent circulars to the magistrates of seventy or eighty towns, with the command not to open them before a certain day fixed by him. These letters contained, for each town, the command to raze its walls to the ground on that day, and the threat that, in case of disobedience, the town would be besieged, and its inhabitants reduced to slavery. Each town obeyed, imagining that it alone had received such a command; and before the stratagem was discovered, the towns had already made considerable progress in the destruction of their fortifications.<sup>4</sup>

In the year 575, the consul Tiberius Sempronius Gracchus, the son of that

Gracchus who had distinguished himself in the war against Hannibal by his brilliant victory over Hanno, and had found a glorious death, and the father of the two unfortunate brothers, went to Spain. He is the same who had deeply lamented the fact that P. Scipio tried to place himself above the law, but still would not allow him to be punished like any other citizen. Subsequently Scipio selected him for his son-in-law. The hostile feeling towards the Romans had spread even among the Celtiberians, who occupied the countries from the sources of the river Ebro, as far as the frontiers of La Mancha, Andalusia, and Valencia, and inhabited chiefly the eastern part of New Castile, the western part of Aragon, and the provinces of Soria and Cuença. They had in reality never been subject to the Carthaginians, and their mercenaries had served in the armies of both the belligerent parties. They were now involved in a war with the Romans, who wished to reduce them to submission. The more difficult this undertaking—the Celtiberians were the bravest among the Spaniards—the more was it incumbent on the Romans to subdue those countries. But Tib. Sempronius Gracchus concluded a peace with them, the terms of which we know not, but they were so fair and reasonable, that those nations who had no wish to carry on the war, afterwards whenever the Romans adhered to the terms, always looked upon them as the greatest blessing that they could have implored from heaven.<sup>5</sup> The whole family of the Gracchi is distinguished for its extraordinary gentleness and kindness, qualities which were, on the whole, foreign to the Romans. This peace was the means by which Gracchus gained a hold on the affections of the natives of Spain. Had his successors kept to the terms of the peace, the Celtiberians would have been allies as faithful and useful to the Romans, as the Marsians and Pelignians. But

<sup>4</sup> Appian, *De Rebus Hispan.* 41. Compare Livy, xxxiv. 17.

<sup>5</sup> Livy, xl. 47, foll., xli. 3, foll.; Appian, *De Rebus Hispan.* 43.



other generals were extending the Roman dominion in the western parts of Spain : the Vaccaean, north of the Tagus, and the Lusitanians must have been subdued between the years 570 and 580. Their submission, however, did not last long, on account of the extortions of the Roman generals.

In the meantime, a new storm arose in the East. Philip of Macedonia did not live to a great age ; at his death he may have been about sixty years old, and he made excellent use of his long reign to strengthen his kingdom. His expectations respecting the war against Antiochus had not been realised, though his circumstances had been greatly improved by the acquisition of Demetrias and a part of Magnesia, by means of which he encompassed Thessaly. The Dolopians had continued to be subject to him, although they were separated from his kingdom, and he was also in possession of Athamania and the Greek towns on the coast of Thrace (Aenos, Maronea, Abdera, and others), which he had first taken from the Egyptians, then given up, and at last re-occupied during the war against Antiochus. The Romans allowed this state of things to continue for some time, but then they began insidiously to undermine his empire. They supported Amynder, who expelled the Macedonian garrisons from Athamania,<sup>6</sup> and they readily listened to the ambassadors from the Thracian towns and the Thessalians, who complained of Philip's aggrandisement, and had been stirred up by the Romans themselves,<sup>7</sup> although they must have been convinced that he had no other object but to strengthen himself until he could restore his former power ; for in all he did, Philip was too cautious to violate the treaty. Eumenes, who wanted to obtain possession of the towns on the Thracian coast, in order to extend his dominion as far as the frontiers of Macedonia, was particularly hostile to Philip. The latter, on

hearing of the meeting of many ambassadors at Rome, sent his son Demetrius, who had formerly lived among the Romans as a hostage, and consequently had great connections there. These negotiations led to no results, the Romans at that time always acting with cruel insidiousness ; and the affairs of Macedonia were to be settled by Roman commissioners. Everybody in Macedonia was afraid of doing any thing which might be displeasing to the Romans. The commissioners were received by Philip with feelings of great exasperation ; but he yielded in what he could not help, merely with a view to gain time. Misfortune had taught him wisdom. He had conducted the first war with Rome, from which he might have derived advantages, with laxity, and as a matter of secondary importance ; and he had undertaken the one carried on directly against him with so little preparation, that by a single defeat he lost every thing. But ever since the year 555, during the last eighteen years of his life, he had been making constant and serious preparations, and he, as well as the Romans, acted faithfully. When the Roman army returned from Asia, he instigated the Thracians to fall upon them, and take possession of their baggage, while he endeavoured to secure himself as much as possible against any attack that might be made on him. The Romans, on the other hand, endeavoured to deprive him of his possessions, and he therefore strove to make himself as unassailable as possible. Not being allowed to keep ships of war, and being exposed to constant attacks at sea, he formed the plan of entirely abandoning the maritime towns which had no considerable fortifications, and of drawing the population into the interior of Macedonia. He directed all his attention to the increase of his finances, and with this view established settlements in Thrace.<sup>8</sup> The working of the Macedonian mines was carried on with double zeal, and the arsenals were filled with arms ; he

<sup>6</sup> Livy, xxxviii. 1—3.

<sup>7</sup> Livy, xxxix. 24, foll., 33, foll. ; Polybius, xiii. 4—6, 11—16 ; Appian, *De Rebus Maced.* 4, p. 516, foll. ed. Schweigh.

<sup>8</sup> Polybius, xxiv. 8 ; Livy, xl. 3.

also formed settlements of Thracians in the desolate towns of Macedonia. At the same time he kept up negotiations with foreign powers, and comparatively disregarding the impotent kings of the East, formed friendly connexions with the Thracians, especially the Getæ and Bastarnæ. The latter dwelt in Dacia, the modern Moldavia and Wallachia, and were inclined to abandon their abodes, because the Sarmatians, on the Dnieper, were at that time constantly pressing forward. Philip endeavoured to persuade those tribes to seek new homes in Italy—a plan which seventy years later, was carried into effect by the Cimbri.<sup>9</sup> Such an undertaking on the part of the Thracians would have been the only means of giving the Roman power a shock; but the negotiations with those tribes, in which considerable progress had already been made, were interrupted by Philip's death. Had those nations actually invaded Italy, Philip would have been sure to gain considerable advantages; for the Romans were generally hated, and deserved to be hated. Of virtue and honesty towards foreign nations, not a trace was left among them; and of justice, which had formerly been the very foundation of their religion, they had no longer any idea. Among the many things for which they drew well-deserved hatred upon themselves, we must mention here the intrigues by which, both in free states and within the families of princes, they contrived to gain over to their interest the most contemptible persons; who, encouraged by, and relying on, the protection of the Romans, could venture to do anything. By such means, they created within the royal family of Macedonia an enmity between the heirs to the throne,—Demetrius and Perseus:<sup>10</sup> the former was the younger son of Philip by his legitimate wife; the latter the son of a concubine. Demetrius had spent some time among the Romans as a hostage, and they had gained possession of his mind by

holding out to him the hope of succeeding to the throne of his father, and by the promise that they would recognise him and not Perseus.<sup>11</sup> After years of horrible accusations and plots against Demetrius, Perseus at length succeeded in inducing his father to poison Demetrius. How far Demetrius may have gone to favour the scheme of the Romans, or whether he was actually guilty of anything more than a mere transitory unjust thought, cannot be ascertained. According to the morals of the time, we cannot suppose that Demetrius was quite guiltless; but it is certain that the charges against his father and Perseus, of which we read in Livy,<sup>12</sup> are very much exaggerated, and that the account of the manner in which Perseus calumniated him and seduced his father to murder him, beautiful as it is to read, is rather romance than history.

Philip died soon afterwards, in the year 573. It is perhaps one of those unjust suspicions which hang over so many things, when Livy<sup>13</sup> calls the death of Philip *peropportuna Perseo*, insinuating thereby that his death was brought about by Perseus. Why should not Philip, at his age, have died a natural death? How could he have conceived the idea of excluding his son, who was certainly not an idiot, from the succession, and of fixing upon Antigonus, his cousin, a son of Antigonus Doson, as his successor? All this is highly improbable. Philip is said to have died of a broken heart at the wrong he had done to his son Demetrius. He left his kingdom to his son Perseus, stronger and more powerful than any one could have expected at his accession, and still less after his disadvantageous peace with Rome.

Perseus<sup>14</sup> is one of those characters

<sup>11</sup> Livy, xxxix. 53.

<sup>12</sup> Livy, xl. 23.

<sup>13</sup> xl. 57.

<sup>14</sup> The name Perseus has been the subject of much discussion. Schneider (*Ausführliche Grammat. der Lateinischen Sprache*, vol. i. part 2, p. 71, foll.) has a whole chapter about the declension of it, but has not found the simple solution of the question. All Greek

<sup>9</sup> Livy, xxxix. 35.

<sup>10</sup> Justin, xxiii. 2; Polybius, xxiv. 7.

of which it is difficult to give an idea ; one of his prominent features, however, was avarice. This vice was his ruin ; he could not separate himself from the treasures with which he might have raised a formidable power against the Romans. When he promised subsidies to foreign nations, his avarice did not allow him to abide by his word.<sup>15</sup> In his wars he was undecided and wavering, which arose, it is true, partly from the nature of the circumstances, but partly also from his own peculiar character. He was not a general, for he had no calmness or composure in moments of pressing danger. But we must nevertheless say of him this much, that so long as circumstances were not harassing or perplexing, and so long as he could act according to his own plans, he was always skilful in choosing the right way of proceeding. Respecting his courage, the ancients themselves are not agreed in their opinions. In the first year of his reign he tried to gain popularity among the Greeks, and he was most successful in his endeavours ; for he won the Achaeans, Boeotians, Acarnanians, Epirots, and Thessalians, one by one, and even the Rhodians, and other islanders.<sup>16</sup> During this period he concealed his avarice ; he was even generous, dispensed with tributes, pardoned those against whom justice had pronounced her severe judgments, and opened Macedonia as an asylum to unfortunate and exiled Greeks. In short his popularity rose to such a height, that the Greeks looked upon him as a prince in whose power it was to restore the Macedonian empire, and to drive the

Romans away from the eastern shores of the Adriatic. There were however two parties in every town, a Roman and a Macedonian one ; among the Achaeans there even arose three, a Roman, a Macedonian, and a patriotic one, which last was hated by the two others. Thus Perseus came into Greece, and was received with enthusiasm, as the Roman government became every day more oppressive. He also negotiated with Carthage ; but matters had already come to that point, that even a general coalition could not have effected much ; for although Rome's moral power was weakened, yet it had preserved that of a wealthy state, being able to hire and arm troops in distant countries.

The Rhodians were not bound to the Romans by any treaty, and therefore could, without violating any obligation, enter into friendly relations with Perseus. He married a Syrian princess, the daughter of Antiochus Epiphanes,<sup>17</sup> who is accurately described in the Bible,<sup>18</sup> and in the fragments of Polybius, as a mad tyrant and a frantic man, who however displayed considerable energy. Perseus hoped to find a useful ally in him. A sister of Perseus was married to Prusias.<sup>19</sup> The negotiations with the Bastarnae were continued, and new ones were entered into even with the Illyrians. These connexions excited the suspicion of King Eumenes, and his fear lest he should fall a prey to Prusias and Antiochus if Perseus should be successful against the Romans, for Perseus held out the kingdom of Pergamus as a sort of bait to the other powers, which they might divide among themselves as a fair spoil. The natural consequence was, that Eumenes brought complaints against Perseus before the Romans, who listened to his suggestions, and took up the complaints against the Macedonian king, as well as those against the Rhodians. The small tribes of Thrace, which were oppressed

names terminating in *us*, had in old Latin the termination *es*, and formed their genitive case in *i* : for example, *Piraeus*, gen. *Piraei*, not *Piraei*, as we sometimes find it written in a barbarous way. In later times, however, Perseus falls under the third declension, but the genitive is *Persi*, as if the nominative were *Persus*. The accusative is *Persen*. I have never met with the form *Persum*, although of *Piraeus* the accusative *Piraeum* sometimes occurs.—N.

<sup>15</sup> Livy, xlv. 26. Compare Polybius, xxviii. 8.

<sup>16</sup> Livy, xli. 23, foll. ; xlii. 5. Comp. Polybius, xxvi. 5.

<sup>17</sup> Livy, xlii. 12.

<sup>18</sup> *Maccab.* i. 6, x ; ii. 1, 14, foll., 9, 3, foll.

<sup>19</sup> Livy, xlii. 12.

by Perseus, justly or unjustly, were likewise encouraged to bring complaints against him, and the Carians and Lycians, who preferred being independent to paying heavy taxes to the Rhodians, were stirred up to complain of the latter.<sup>20</sup> In order to weaken the Rhodians, the Romans, whose policy was completely Machiavellian, gave to the Carian and Lycian towns the most favourable though undecided answers, and thus rendered the Rhodians more and more disaffected. One party among them however was attached to the Romans, and had yet power enough to prevent an open declaration of hostilities. The Rhodians were thus kept quiet at the beginning of the war with Perseus. Eumenes himself went to Rome, and was splendidly received; the Romans even thereby intending to show their hostile feeling towards Perseus, who however remained quiet, having been called the friend and ally of the Roman people, and his ambassadors having been received and honoured with presents.

Perseus therefore had reason to hope that, unless he himself broke the peace, the Romans would leave him alone. But in the meanwhile, an attempt was made at Delphi to assassinate Eumenes on his return from Rome.<sup>21</sup> The devising of such a plan for getting rid of an enemy is just what might have been expected of Perseus, although he afterwards positively denied having had any share in the attempt. It may be that the whole affair was merely a wretched farce of Eumenes, to give the Romans a handle for commencing the war; but it is almost too bad to suspect such a thing without evidence. The Romans required Perseus to deliver up some persons who enjoyed his especial favour, and who were suspected of being the instigators of the attempt. His refusal caused the outbreak of the war, which did not last quite four years, from 581 to 584. The turn it took was quite different

from what the Romans had anticipated; for they imagined that it might be brought to a close by a single campaign, like the first war against Macedonia, and that against Antiochus. The war itself, however, came very opportunely for them, for their wish was to overthrow the kingdom of Macedonia; and not merely this, but to place all the relations of those Eastern countries upon a different basis, to remove the treaties by which they were restrained, and to introduce an altogether new order of things.

But Perseus began the war with extraordinary resources. Macedonia had for the first time enjoyed a peace of 25 years, and was in a prosperous condition, so that Perseus, independently of his allied troops and 4000 horsemen, had an army of 40,000 foot. As the last books of Livy are mutilated, we cannot form an accurate notion of one part of the operations, and are left in ignorance of their exact connection. Considering the disproportion of the forces of the belligerent parties, the war lasted very long: but the fact is, that the Roman general conducted it extremely ill; and military talent seems to have been very much on the decline among the Romans at that time. P. Licinius Crassus appeared in Thessaly, where Perseus came to meet him,<sup>22</sup> and gained a considerable advantage over the cavalry of the Romans, who had many killed and taken prisoners. The king had conceived the mad hope that, by resolute conduct, he would obtain more favourable terms. His calculation, however, was wrong, for the Romans were faithful to their maxim, not to lay down their arms until their enemy was subdued. Negotiations were immediately entered into by the king; but the Romans demanded entire submission to whatever the senate might decide. A battle was then fought in Thessaly, near Sycurium, in which many Romans were slain, and still more were taken prisoners. This victory threw such a lustre around Perseus, that all Greece was on the point of joining him. The

<sup>20</sup> Polybius, xxvi. 7; Livy, xli. 6; compare xliv. 15.

<sup>21</sup> Livy, xlii. 15, foll.; Appian, *De Rebus Maced.* 2, p. 521, ed. Schweigh.

<sup>22</sup> Livy, xlii. 55, foll.



Roman fleet, it is true, was a great advantage to the Romans, and a curse to many of the Greek coast-towns. It was now, indeed, opposed by a Macedonian fleet, which was more effectual than had been anticipated; but that of the Romans was superior. With the exception of a few leading men, such as Charops in Epirus, who had been educated at Rome, and boasted of being able to speak Latin, Lyciscus in Aetolia, and Callicrates in Achaia, all the Greeks were in favour of Perseus, and against the Romans. Rational men among the Greeks, such as Polybius (who no doubt hated the Romans as cordially as his father Lycortas, but their hatred was different from that of the ignorant multitude) and Philopomen, wished indeed that the issue of the war might be such as to enable Perseus to maintain himself; but very few had confidence enough to act in reliance upon such an issue. The great mass of the people, however, fancied that it was impossible for Perseus not to conquer the Romans; and after the successful battle in Thessaly, all their heads were completely turned, so that the Greeks indulged in every kind of insolence towards the Romans.<sup>23</sup> We have seen a similar state of feeling in Germany, where a general exasperation against the dominion of the French was manifested, just at the time when their power had reached its height; and whenever the French sustained a trifling loss, some people were foolish enough to imagine that their power was on the decline, and to indulge in the most insulting language against them. Such was not the feeling of men like Polybius or Philopomen, although they cannot surely have been deceived as to the personal character of Perseus.<sup>24</sup> Afterwards, when Polybius lived among the Romans, he resigned himself to his fate, saw the

good in their character, and became reconciled to them. The state of affairs at that time is quite clear from the fragments of his history. It was the hostile feeling towards the Romans which led the Greeks to their own ruin. On every occasion they gave vent to it; and such occasions occurred frequently. The Romans, therefore, likewise looked upon every Greek as an enemy, and acted with the greatest cruelty; the praetor Lucretius made himself particularly notorious. A number of maritime towns were taken, and destroyed or burned to ashes, and the inhabitants were carried away as slaves by the consul A. Hostilius Mancinus. Haliartus and Coronea, in Boeotia, were reduced to ashes. Had Perseus made good use of circumstances and pressed the consul, the whole country east of the Adriatic would have been in a state of rebellion; but he was undecided, and confined himself to a small plan which he had devised, and in carrying out which alone he could be active; he was incapable of the grand undertakings which were necessary for the overthrow of the Roman empire. Thus he entered into the deceitful proposals of the Roman consul to conclude a permanent peace, during which Crassus withdrew from a perilous situation, whereupon the negotiations were of course broken off. In like manner, when Marcus Philippus was afterwards opposing Perseus in Thessaly with insufficient forces, he offered him a truce, which was to be followed by a peace; whereas it only gave the Romans time to send reinforcements to the consul. In the third year of the war Perseus was particularly fortunate; he even drove the Romans out of Macedonia into Illyricum, and yet had time enough to protect his kingdom against the attacks of the neighbouring Dardanians.<sup>25</sup>

<sup>23</sup> Livy, xlii. 63.

<sup>24</sup> Polybius, xxviii. 10.

<sup>25</sup> Livy, xliii. 5.

## LECTURE LXXXIV.

IN the third year of the war, Perseus evacuated Thessaly, but kept possession of Magnesia and withdrew to Pieria, a tract of coast extending from Mount Olympus to the gulph of Thermae, where his army took up its winter-quarters. Tempe alone was occupied by one of his generals. There the Roman consul, Q. Marcius Philippus, made a bold attempt, for being stationed at the entrance of Tempe, at the foot of Mount Olympus, and not being able to force the entrance, he endeavoured to evade it, and tried with immense exertions to cross the vast mountain of Olympus with his troops, so as to pass round the Macedonians.<sup>1</sup> The latter not expecting such boldness, thought themselves quite safe. It was not without incredible difficulties that the Romans arrived at the northern foot of Olympus; and here they found themselves in a position where they might have been cut to pieces. The whole undertaking deserves censure; for if Perseus had had his wits about him, the Roman army might have been completely destroyed. But he left Dium, after having set fire to a portion of it, evacuated Pieria, and retreated to Pydna. The Roman general himself, after having advanced as far as the river Ascordus, finding his situation perilous, returned to Dium and thence to Phila. The Macedonians, emboldened by this apparent flight, advanced again. The advantage, however, which the Romans derived from this undertaking was, that Tempe was evacuated by the Macedonians.

Some decisive step, however, had now become necessary. Public opinion became more and more changed respecting the issue of the war, although the Romans made slow progress, like the progress of a besieging

army; but the Greeks were undecided in the highest degree, some relying upon others, hoping that a coalition would be formed against the Romans, and that fortune would turn against them. As they had reached their highest point, it was believed that they must fall, as all the states of Greece had fallen. The Rhodians thought that the time had now come for shewing that they were independent. They were highly exasperated against the Romans, and hoped to see them defeated, in order to be able firmly to establish their own authority in Lycia and Caria; but they too were disappointed in their expectations. The relation subsisting between Perseus, Prusias and Antiochus had lately gained more strength: Antiochus however had less zealously interfered in the affairs of Europe, but availed himself of the opportunity of recovering Egypt. As therefore he did not threaten Asia Minor, Eumenes began to feel more secure; he even altered his whole policy, and thought it more advisable to support the interests of Perseus than those of the Romans. Secret negotiations were commenced, which, however, could not remain concealed long in such a demoralised age, and the Romans never forgave Eumenes this apostasy. The Bastarnae, too, with whom Perseus had long been carrying on negotiations, were now in movement,<sup>2</sup> and Genthius, king of the northern part of Illyricum (his kingdom and genealogy cannot be accurately defined, though his country seems to have been the modern Upper Albania), with the capital of Scutari (Scorda), was likewise allied with Perseus. Genthius was not a powerful prince, but would still have been a formidable neighbour to the Romans, if he had resolutely declared himself in favour of their

<sup>1</sup> Livy xliv. 6, foll.

<sup>2</sup> Polybius, xxix. 2; Livy, xliv. 27.

enemies. But both the Bastarnae and the Illyrians expected subsidies from Perseus. On this occasion the Macedonian king shewed his contemptible character; for, after having promised Genthius 300 talents, he sent him only ten, and kept back the rest, declaring that he would send them in a short time; but the fact was, that he wished to deceive Genthius, for he could not prevail upon himself to part with his money. Genthius, not suspecting Perseus to be capable of such meanness, threw, at his instigation, the Roman ambassadors into prison, so that now he had no longer any choice between Rome and Macedonia. In like manner, it was an unpardonable mistake that Perseus did not send the Bastarnae into Italy, according to the grand scheme of his father.

In the year 584, L. Aemilius Paulus, the son of him who had fallen at Cannae, was made consul for the second time. The Romans were convinced of the necessity for increased efforts to bring the Macedonian war to a close, and provided him with the means of attaining this object. The Rhodians had, unfortunately for themselves, attempted to mediate between the Romans and Macedonians, in a manner which had offended the former. The war disturbed their commerce, and they did not by any means wish to see the Romans victorious, as they owed their independence to the equipoise between the several states. They came forward rather impetuously, pledging themselves to induce Philip to conclude peace; but the Romans, however heavily the war weighed upon them, did not wish for peace, and the language of the Rhodians was offensive to them. The Rhodians felt that at home they were powerful and respected by their neighbours, so that whenever opinions were divided on any subject, it was in their power to give the casting vote, as had been the case in the war against Antiochus. Such circumstances are always very deceptive; and in this instance they made the Rhodians forget the enormous disproportion between their

own power and that of the Romans.<sup>3</sup> The language which they used towards the Romans was not what it should have been, but their wish was to save Macedonia from destruction.

Perseus opened the last campaign without any additional forces, except those of Genthius, who continued his hostilities against the Romans. The king had taken up his winter quarters in Macedonia, and when the Romans broke up, he retreated before them behind the Cambunian mountains, a lofty range which separates Thessaly from the coast land of Macedonia, one of the most beautiful countries in the world. But this time too the mountains were evaded; the lofty and broad Olympus, the tops of which are covered with almost perpetual snow, lies between the Peneus and Pieria. Tempe, which formed the main pass, was fortified. There were indeed many other roads across Olympus; but most of them were fortified in such a manner that Paullus thought that no advantage would be gained by an attack. He discovered, however, a path leading right across one of the highest summits of the mountain, which, owing to its inaccessible nature, was less strongly guarded: thither he sent young Scipio Nasica, the son-in-law of Scipio Africanus, with 8000 men, to march round the enemy's camp. This undertaking would not have succeeded, if Perseus had been a great general: but he who attacks always has advantages; the insurmountable height was passed, the Macedonian army found the Romans in its rear; the advanced corps were beaten by Scipio Nasica, and Perseus was obliged to change his position. He now drew up his army behind Pydna, with a deep mountain torrent in his front; for through that narrow coast land, a number of deep torrents flow down mount Olympus parallel to one another into the sea, and behind each torrent lines had been drawn up, in order to resist the Romans at every step, if they should penetrate through Tempe. Meantime the Romans had

<sup>3</sup> Polybius, xxix. 4; Livy, xlv. 14.

crossed the mountain opposite the left wing of the Macedonians, so that those lines on the banks of the torrents were useless, and the Macedonians were obliged to throw themselves behind the last, in the neighbourhood of Pydna. The Romans were thus in Pieria, the country of Orpheus, and this was a great step gained; but the Macedonian forces were yet entire. The decisive battle, in which the Macedonian kingdom found its inglorious end, was fought near Pydna. In the space of a single hour the whole army of Perseus was defeated: the infantry was cut to pieces, and the cavalry escaped in a disgraceful manner, but without any considerable loss. The loss of the Romans was trifling; some say that they lost only 91 men; others, that they lost 100. The former is a statement of Posidonius, a man who was not favourably disposed towards Rome: he is not the celebrated Posidonius, but a contemporary of this war, who wished to justify Perseus.<sup>4</sup> The king had now no confidence in any one, or any thing, for his country was exhausted in the extreme; and the great fault of the Macedonians was faithlessness towards their princes in times of need. He fled, and, escorted by some Cretans, endeavoured to save himself with his remaining treasures, as if it had been possible to find any place where they could be safe. He therefore offered to his companions a part of his treasures, but in the madness of his avarice he soon repented; so that when at Amphipolis he got some breathing time, he cheated them out of what he had promised them. All the towns opened their gates to the Romans. If Perseus had wished to save his life as a free man, he might have gone to his allies in Thrace, and thence to some of the Greek towns on the coast of the Euxine, which could have had no motive for delivering him up to the Romans. But he acted like a blind man, and went to Samothrace, to seek an asylum in its inviolable sanctuary, which he may have considered all the

more safe, because certainly the worship of the Penates at Lavinium and the worship of Samothrace were of the same kind. As a private person he would indeed have been safe here, but it was foolish to expect that under the present circumstances the Romans would leave him there; but his chief motive was to save the beloved money which he had taken with him. He found however that he was surrounded by traitors, and after he had put one of them to death, the others deserted him. He now wished to embark for Crete, or according to others, for Cotys in Thrace; but the captain, whom he had already paid, deceived him.<sup>5</sup> His eyes were now opened; he saw that his fate might be like that of Pausanias, as the Roman praetor had already come to seize him or starve him to death. A cowardly love of life induced him to surrender to the Roman admiral Cn. Octavius, and he, like Genthius, was reserved to adorn the triumph of his conqueror.

L. Aemilius Paullus, who now set about regulating the affairs in the East according to the instructions which he had received from Rome, made a cruel use of his victory, if we may judge from our own feelings of humanity. One hundred and ten years after the war with Pyrrhus, the Romans took vengeance on Epirus, which had become involved in the fate of Pyrrhus. Its inhabitants were divided, and some had declared in favour of Macedonia. There was no national feeling among them; although they may not have observed the treaties which bound them to Rome, yet the cruel vengeance taken by the Romans cannot be justified. The Roman soldiers took up their quarters among the Molossians, and here scenes took place like the massacre of Glencoe, in Scotland, though not with so much cunning: but in both cases a massacre took place in the midst of a population which believed itself to be in perfect safety.<sup>6</sup> The inhabitants of seventy

<sup>5</sup> Livy, xlv. 6.

<sup>6</sup> Livy, xlv. 34; Plutarch, *Aemil. Paul.* 29; Appian, *De Rebus Illyr.* 9; Polybius, *ap. Strabon.* vii. p. 322.

<sup>4</sup> Plutarch, *Aemil. Paul.* 19.



places, occupied by the soldiers, were first commanded, under penalty of death, to deliver up all their gold and silver (which amid ordinary plundering might have been lost or destroyed to a great extent), and immediately afterwards, the soldiers in all the places fell upon the devoted people. 150,000 men are said to have been sold as slaves, or put to death; and their towns to have been destroyed. This is horrible, and shows the degenerate condition of the Roman people, because in their own state there was no equipoise, but only an unbridled multitude. Servitude deprives man of half his virtues, but perfect freedom to do what he pleases, creates double vices: in the possession of the sovereignty of the world, the Romans thought that they might do anything. After such cruelty, which was perpetrated at the command of L. Aemilius Paullus, we cannot possibly, with Plutarch, reckon him among the number of great and virtuous Romans. His mode of acting would have been cruel enough even in the course of a war; and I cannot see the reason why many persons call Aemilius Paullus a mild and humane man. It was in a similar manner that he acted in Boeotia; and throughout Greece the party which favoured the cause of the Romans received Roman soldiers to crush their opponents, and they raged with real fury. In Aetolia, where the Roman party had the upper hand, it committed an act which almost surpasses all belief: among other things they broke into the senate-house, and the senators suspected of being favourable to Macedonia were put to death instantaneously, at the request of the leading men of the Roman party, who received a Roman garrison commanded by A. Baebius.<sup>7</sup> This dreadful policy was extended to the Achaeans also, among whom the party of Perseus had been less strong than the one which had endeavoured to maintain their dignity, which had been insulted by the Romans. The latter had kept none of the treaties with the Achaeans. They had admitted ambassadors from

separate places, and even encouraged people, as in Lacedaemon and Messenia, to come forward with accusations against the Achaeans, whereas, according to the treaty, the ambassadors of the whole confederacy alone should have been listened to. It was evident that the Romans were anxious to disturb the unity of the people, for they demanded that the exiles should be recalled. There was among the Achaeans a traitor, Callicrates, who had sold himself wholly to the Romans, and was so detested and accursed by his countrymen, that they dreaded to approach him or to touch his garments; but the more he was despised, the deeper he sank in his baseness. After the victory over Perseus, there appeared ten Roman commissioners in Greece, and two of them, C. Claudius and Cn. Domitius, came among the Achaeans, declaring that among the papers of Perseus there had been found clear evidence of the treachery of several distinguished Achaeans, and requiring the Achaeans to pass a decree, that all those who had been supporters of Perseus should be put to death. The Achaeans gave a very appropriate answer, requesting the Romans to name the offenders, that they might be tried, and punished according to law. But the Roman commissioners refused to condescend to this, and insisted upon a decree being passed pronouncing death on the Macedonian party in general, before they would bring forward a list of them. When the Romans were pressed further, they declared that all those who had been strategi were guilty. One man, Xenon, who had been strategus himself, now rose, and declared that he was so convinced of his own innocence, that he would willingly submit his case not only to a court of his own countrymen, but to the Romans themselves. This offer came opportunely for the Romans, and they immediately got Callicrates to make out a list of upwards of one thousand persons, who were to quit their country and go to Italy, to be tried. Some of them made their escape, and were at once declared to be convicted criminals who might be

<sup>7</sup> Polybius, xxx. 14; Livy, xlv. 28 and 31.

put to death wherever they should be found. The others, on their arrival at Rome, were not placed before a court of justice, but were distributed as hostages in the municipia of Etruria. Seventeen years after this event, not more than 300 of them were alive.<sup>8</sup> One among these Achaean hostages was Polybius, the historian: his condition, however, was soon improved, as he became acquainted with the great Roman families, and Aemilius Paullus selected him to give his sons a Greek education. From this time forward it is difficult to say what belongs to Roman and what to universal history.

Macedonia was nominally declared free. No Roman pro-consul was sent out to undertake its administration, and the taxes were reduced to half the amount which had been paid to the kings:<sup>9</sup> an instance which proves that the Romans levied tribute even in those countries which were not constituted as provinces. The country was cunningly divided into four republics, and in such a way that tribes naturally connected together were severed from one another, and were annexed to a republic with which they had no natural connexion; the connubium and commercium were abolished: a truly Machiavellian policy. The object of this measure was to destroy all national feeling in each of the four states,<sup>10</sup> and yet the Romans acted as if they were really giving to those people a republican constitution. Each state obtained a synedrium; and under the pretext of removing those who were dangerous to this new equality, they expelled all persons of rank and distinction from the country. The advantage of this arrangement soon became visible in the insurrection of the Pseudo-Philip.

The triumph of Aemilius Paullus was the most brilliant that had yet been celebrated, on account of the immense treasures which adorned the procession. The biography of Paullus by Plutarch is well worth reading, and the account

of his triumph is very instructive: he brought with him nearly two millions of our money. From this time we must date the great wealth of the Romans, but the condition of the people grew worse and worse: the cancer of poverty spread further every year, and the number of beggars increased, while one class of the population accumulated enormous riches. Moral corruption also began to show itself at Rome, and sometimes we meet with series of the most monstrous offences; nay, even before the war against Perseus, Roman history has recorded some horrible crimes, with almost incredible ramifications. At the beginning of the seventh century, two of the most distinguished Roman ladies, the wives of consulars, were accused of having poisoned their husbands, and were put to death by the decree of their own cousins.<sup>11</sup> The republic grew richer in the same proportion as the inner or moral condition of the people became worse. During the war against Perseus, taxes had still been raised; but they were afterwards abolished, though I believe that they were again resorted to during the Social war, when everything was changed into money, a circumstance of which I have no doubt, though it is not mentioned anywhere. Most writers<sup>12</sup> speak as if the spoils of Macedonia had been so ample as to render contributions for war unnecessary. But those spoils were deposited in the public treasury, and it was rather the continual revenues derived from Macedonia, Illyricum, and other countries, which rendered it now superfluous to impose any direct taxes. Indirect taxes, such as tolls, duties, etc., continued to be paid, and some of them were very high, at least in later times. The peculiarity was that they were raised, like customs duties, in a number of ports, while in the interior of the country everything was circulated free of duty.

<sup>11</sup> Livy, *Epitome*, 48.

<sup>12</sup> Plutarch, *Aemil. Paul.* 38. Compare Cicero, *De Off.* ii. 22; Pliny, *Hist. Nat.* xxiii. 17.

<sup>8</sup> Pausanias, vii. 10, 2.

<sup>9</sup> Plutarch, *Aemil.* 28.

<sup>10</sup> Livy, xlv. 29, foll. 32.

After the destruction of the kingdom of Macedonia, there remained only the Rhodians, who had provoked the Romans by their pride; and the Romans, wishing to overthrow their power also, declared war against them. When the Rhodians saw that there was no possibility of escaping, they descended to the lowest humiliation to conciliate the Romans. Those who had actually rendered themselves guilty by keeping up a correspondence with Perseus, facilitated the negotiations of their country by putting an end to their own lives, so that only corpses were delivered up to the Romans. Others fled from their homes, but finding no asylum anywhere, they likewise were at length compelled to bring their wretched existence to an end. Polyarratus and Dymon unfortunately were really guilty; they were exiled and fell into the hands of the Romans, who now took from the Rhodians the places which they had before given to them, nay even those which they had possessed long before. Stratonicea had belonged to them for the last seventy years. It was not without great difficulty that the skill of the Rhodian ambassadors and the interest which Cato took in the Rhodians, averted the war; but they had to submit to the hardest conditions. They lost Caria and Lycia, with the exception of the nearest places on the coast, so that they did not even retain their most ancient possessions in those countries. Thus the Rhodians, who had so long been on terms of friendship with Rome, had to congratulate themselves for obtaining an alliance in which they acknowledged the sovereignty of Rome and promised to support her in her wars.<sup>13</sup> Within their own country, however, they retained their independence, and confined themselves to their small but beautiful island. In this they showed their good sense; and by their commerce they continued to enjoy general estimation.

The war against Perseus was followed by a period down to the beginning of the third Punic war, so barren

of important events that Polybius, when he made a second edition of his history, after the destruction of Corinth,<sup>14</sup> wrote the intermediate period, from the Macedonian war to the taking of Corinth, merely as an introductory sketch to the subsequent history, which formed a work quite distinct from his earlier history, and was connected with it only by the slight sketch of that intermediate period.<sup>15</sup> I shall follow his example, and relate only that which is necessary to fill up the gap.

One of the points which must not be overlooked is, that at the close of the sixth century the Romans began to attack the Gauls in the Alps.<sup>16</sup> Soon after the war against Perseus they protected the Massilian colonies of Antibes, Nizza, and other towns, against the Ligurians.<sup>17</sup> The whole country round Genoa was already subdued by the Romans, whose object was gradually, and as occasion offered, to make themselves masters of the whole coast as far as Spain (601). In the East about the same time, they endeavoured to subdue the Dalmatians, and to gain possession of the country extending from Zara to Ragusa. They succeeded indeed, but their conquests were not lasting. They were successful in Corsica also.

The guilt of the kings Prusias and Eumenes differed in degree, the former being related to Perseus by marriage, the latter having been faithless to Rome. Prusias excited the indignation of his contemporaries by his contemptible conduct, for he appeared at Rome in Roman dress, his head shaved, and wearing the cap of a freedman, and prostrating himself on

<sup>14</sup> The first edition of his history ended with the destruction of the kingdom of Macedonia and its immediate consequences, the reconciliation of the Rhodians with Rome, and the carrying away of the Achaean hostages.—N.

<sup>15</sup> This peculiar view respecting the work of Polybius, which Niebuhr repeatedly expressed (vol. iii. p. 42), is perhaps to be understood in this manner: he makes the first edition go down to the end of the 30th book, and considers the remaining books as the later addition.

<sup>16</sup> Livy, *Epitome*, 46 and 47.

<sup>17</sup> Polybius, xxxiii. 4.

<sup>13</sup> Livy, xlv. 10 and 25.

the ground in the senate house he declared himself a freedman of the Romans. He gained his end, inasmuch as the Romans did not curtail his dominions, but he was obliged to give his son Nicomedes as a hostage, and by him he was afterwards to be overthrown. Eumenes was forbidden to come to Rome, and his brother Attalus implored for him the mercy of the Romans.

About the same time, Antiochus was carrying on war against the two minor princes of Egypt, Ptolemy Philometor and Euergetes II. (Physcon), and their sister Cleopatra. Coelesyria was lost, and their possessions comprised only Egypt, Cyprus and Cyrene. Antiochus Epiphanes tried to make himself master of these countries, and was successful. He had advanced as far as Memphis, and, as almost all the Egyptian towns were unfortified, his victory was certain; Alexandria alone might have resisted. But the Romans would not allow him to acquire such an extensive empire, and sent the celebrated embassy of M. Popillius, who with his staff drew a circle around the king and compelled him, before quitting the circle, to declare that he would evacuate Egypt. The Romans now acted as mediators between the two princes, giving to the younger, Physcon, Cyrene and afterwards Cyprus also, and to the elder the rest. Physcon at first became reconciled to his brother; but they afterwards disagreed again. The detail of these transactions does not belong to Roman history.

At that time the Parthians also began to extend their power. The country east of the desert and the ancient Hyrcania, the coast-land of the Caspian Sea, had been taken possession of by them. Media, Susiana, and Persia too, did not remain long in the hands of the Syrian kings (until (620), and thus were laid the foundations of the great Parthian empire. In 630 the Parthians had already taken Babylon.

In Spain the wars still continued and were conducted with the greatest energy, especially against the Celtiberians. If the other Spanish nations had co-operated with the Celtiberians,

they might have been able to repel the Romans and confine them to the coast, as they could not have sent very numerous armies to Spain. But this was not done, for the Spaniards did not feel the necessity of a national union, and the Lusitanians were quite satisfied, provided they themselves were left in peace. The Celtiberians were likewise desirous of peace, and the Romans succeeded in gradually gaining tracts of country from them, especially the district of Cuença in the south, and parts of Lusitania and Estremadura. In the west they advanced towards the Vaccaean and Salamanca. The Lusitanians were an ingenious and able people, but they had not yet got a general such as shortly afterwards arose among them. All these tribes, as well as the Celtiberians, would willingly have recognised the supremacy of Rome, and have strengthened her military power, had the Romans only been inclined to make peace on tolerable conditions. But this was not their object; they wanted to reduce Spain to perfect submission and rule over it. What they promised they did not perform; and hostilities always began afresh on the arrival of a new general, so that no one could place any confidence in the Romans. In this manner the time was approaching, when a new and grand historical drama was to commence.

During this period there are no changes in the constitution, which ever since the first Punic war remained outwardly the same. A few laws were passed, and a few attempts made to remedy the prevailing evils, but without effect. In this manner arose the *lex Voconia*, forbidding the practice of making women heirs, and of leaving legacies to them, except in the case of a father having an only daughter, and no son. This regulation respecting an only daughter (*ἐπίκληρος*) arose out of the gentile relations, because such a daughter, as in Attica, was obliged to marry a member of her gens, so that the property remained in the gens. This law, however, shows that the spirit of family was already becoming extinct. Cicero in his work "*De Re*



*Publica*," judges incorrectly of it, according to the notions of his own age. The deterioration in the minds and feelings of the Romans, however, had already gone so far, that a single law like the *lex Voconia* was no longer able to check the evil. Matters were then as they were in England forty years ago, when a general and wisely planned legislation might have stopped the downward tendency of the state; but such suitable and thorough reforms are of extremely rare occurrence in history: fate leads states to their downfall, and I foresee that within fifty years England will experience a complete political change.<sup>18</sup> At Rome a few laws were passed against the wishes of certain individuals, but everywhere loopholes were found, by means of which they were evaded. The *lex Aelia et Fufia* was another important law; but when and how it was passed is very uncertain. It is usually regarded as a single law; but from Cicero it appears probable that there were two, and they must have been of great importance. The substance of what it enacted, at least so far as it is known, was that the tribunician transactions with the people should be liable to be interrupted by the auguries: a proof that the ancient forms still continued to be respected. As we, of course, regard the whole system of augury as an imposition, this measure appears to us a mere extension of priestly deception, and we wonder that such a thing could happen in an enlightened age. But it was to be a mere form: the power of the tribunes had reached a fearful height; and as the augurs were now authorised to state what signs might stop the proceedings of the assembly convened by the tribunes, no one believed that those signs were sent by a supernatural power, but they were regarded as only means in the hands of the optimates to check the tribunes. By the *lex Hortensia* the tribunes had acquired the power of passing laws without the sanction of the senate;

and now the augurs, one-half of whom were patricians, and the other half plebeians, though from the most distinguished families, might prevent such resolutions, and limit the otherwise unbridled power of the tribunes. The form of the new law is certainly offensive and unworthy, the augurs being obviously obliged to deceive, but its object to create a counter-tribuneship in matters of legislation was highly desirable. This law is mentioned only by Cicero, and Clodius abolished it.

Among the occurrences which show to what degree matters had become changed at Rome, it must be mentioned that, in the year 600, one tribune, or the whole college, ordered the consuls to be imprisoned for having acted unfairly in levying troops.<sup>19</sup> Such a decree of the tribunes is so foreign to the ancient constitution, that this occurrence alone suffices to show the complete change that had taken place, and that then no confidence could be placed in a man's personal conscientiousness. Formerly those bound to serve in the armies were selected singly by the consuls, and people had borne this from the earliest times. At first all were taken, afterwards only the most able, and those who had already been trained in war. As the legions now were always stationed for a long time in distant provinces, the duties of military service became more oppressive, and many tried to get exempted by favouritism, the tribunes preventing any individual whom they favoured from being enlisted. Moreover, as the empire had become very extensive, levies must have continued to present greater and greater difficulties, the men having to appear in person. The selection of soldiers was now abolished, and the general conscription was arranged in such a manner as to make the lot decide upon a man's duty to serve, after which excuses or reasons for exemption might be brought forward. This was not a change for the worse; but the tribunes at the same time demanded that each of them should

<sup>18</sup> This remark was made in 1826, that is, previously to the carrying of the Roman Catholic emancipation.

<sup>19</sup> Livy, *Epit.* 48.

have the right to exempt ten of the individuals drawn by lot, and as the consuls opposed them they were imprisoned.<sup>20</sup> The necessity of making enactments against bribery had become even more pressing before the end of the fifth century. They were directed against venality, for the constitution of the centuries had been changed, and attempts at bribery had become possible. Whether the *lex Cornelia de ambitu* is that of Cornelius Cethegus, or of Sulla, cannot be determined,

<sup>20</sup> Livy, *Epit.* 55.

although the former is generally looked upon as an established fact; but it is certain that a law *de ambitu* was enacted as early as the year 570, a fact which has become somewhat better known from the Milan scholia on Cicero.<sup>21</sup>

<sup>21</sup> *Schol. Bob. in Orat. pro Sulla* (Orelli's Cicero, vol. v. pt. 2, p. 361.) The reading in Livy, xl. 19, is very doubtful, whence the belief that the law may have originated with Sulla. Others refer this Cornelian law to the consul Cn. Cornelius Dolabella (A. U. 595), and quote Livy, *Epit.* 47, in support of their opinion.

## LECTURE LXXXV.

THE outbreak of the third Punic war had long been prepared by the relations existing between Carthage and Masinissa. The peace with Rome lasted for upwards of fifty years, during which the Carthaginians did not give the Romans a single reason for complaint, nor do the Romans themselves mention any. We must suppose that this interval was a time of prosperity for Carthage, for after it we find the city very rich and populous; and it is not difficult to conceive that the obstacles which prevented the maritime nations of the East from entering upon extensive commercial enterprises, were of great advantage to the Carthaginians. During the wars between Egypt and Syria, for instance, the Carthaginians, who were neutral, were allowed to sail and trade where they pleased. The energy of the Carthaginians being prevented from exerting itself abroad, was directed towards their internal affairs, and towards the increase of wealth. But still, so long as that state of things lasted, in which they were kept in a sort of minority, their national character and their constitution seem to have fallen into decay. The government was weak, and the anarchical ascendancy of the people, according to the remarkable statement of Polybius, was an old evil, yea older

than at Rome, and I believe that Carthage had become a wild democracy, and was in a state of total dissolution. A power like that of the consuls at Rome had long ceased to exist at Carthage, and that of the senate too was very much limited. An Eastern people governing itself as a republic, without those institutions which in Greece and Rome formed a check upon democratic extravagance, could not but become completely lawless. What we positively know is but little, and we can only here and there catch a glimpse of the real state of things among the Carthaginians.

The great outward cause of their sufferings was ever and anon Masinissa. It is not improbable that he may have received secret instructions from the Romans; but, even if this was not the case, he was convinced that, however glaring his acts of injustice might be, the Romans would not declare against him. The Carthaginians endured everything with extraordinary forbearance, in order not to give Rome any occasion for making war upon them, for they clearly saw that their bright and happy days were gone, and they resigned themselves to their melancholy fate. And this is the only reasonable course that can be adopted under such circumstances; though a

nation must not cease to be aware of the heavy sacrifice it is making, or forget the fact that it is unhappy; for, as soon as this feeling is gone, demoralisation, baseness, and cowardice, step into its place; and I am rather inclined to believe that, at least to a certain extent, this was the case with the Carthaginians.

The disputes began not long after the close of the second Punic war. Masinissa made impudent claims to the most ancient Phœnician settlements, the rich coast of Byzacene, which the Carthaginians had possessed from the earliest times. Polybius says, that that district belonged to the Carthaginians as early as the time of the Roman kings. This was indeed so audacious a demand, that the Romans did not dare publicly to declare in favour of Masinissa. Scipio Africanus went over as Roman commissioner and arbitrator, and the circumstances were so clear, that he could not possibly decide the dispute in favour of the king; but, with an unpardonable policy, he declined pronouncing a verdict, so that the Carthaginians and Masinissa remained in their hostile position towards each other, and the former must have been convinced that any active resistance would involve them in a war with Rome. They were accordingly obliged to keep on the defensive. Their situation was as unhappy as that of the states with which Napoleon had made peace to prepare their destruction, he himself giving the lie to all truth. It was unfortunate for Carthage, that Masinissa reigned upwards of fifty years after the peace of Scipio; and throughout his life, he managed his connexions with Rome so skilfully, that the sad condition of Carthage became worse and worse.<sup>1</sup> Matters thus came to such a pitch that, at last, a war broke out between the Carthaginians and Masinissa. The exact time at which this took place is one of those points which cannot be accurately determined; but I am not

inclined to place the event as near the outbreak of the third Punic war as is commonly done.<sup>2</sup> The territory of Carthage then embraced the modern Tunis and the western part of Tripoli, the interior of which had been in the possession of Masinissa even before this time. By his constant conquests he had become one of the most powerful rulers of that period, and was much stronger than Carthage. Had the Carthaginians taken up arms at a proper time, they would perhaps have been able to keep him at a distance: but this was neglected. They had assembled a considerable army under a general Hasdrubal. Their previous misfortunes had not made them more warlike; they did not do what Machiavelli wished to be done for his native city, and had not yet come to the conviction that they must rely upon their own valour, and at the same time lighten the burdens of their subjects. The evil of their military system had not been removed, and their armies still consisted of mercenaries; they had the additional misfortune of having an unskilful general. Hasdrubal marched out against Masinissa with an army of 50,000 men; and although the battle was not decidedly lost, yet he considered himself conquered, and retreated without securing his communication with Carthage. He was accordingly cut off, and began to make proposals of peace, which Masinissa haughtily rejected, and refused to allow the surrounded Carthaginians to depart until, being driven to extremes by famine and distress, they gave hostages as a security for their keeping peace, undertook to pay 5000 talents within fifty years, and acknowledged Masinissa's usurpations. When the defenceless men who had been de-

<sup>2</sup> In several good copies of the MS. notes, the reading is "probably later than is usually believed; it must have been shortly before the outbreak of the last war with Rome." The editor mentions this, because no reasons are given to decide either one way or the other; but the statement in the text seems to be the more correct, since, according to the common opinion, the war of Masinissa is placed very near the outbreak of the third Punic war.

<sup>1</sup> Appian, *De Rebus Pun.* 68; Livy, xlii. 23, foll., compare Zonaras, ix. 25.

prived of their arms, departed, Gulussa, Masinissa's youngest son, fell upon them and cut them nearly all to pieces. Although Masinissa had the hostages in his possession, he demanded that the peace should be observed, and even complained to the Romans, saying that the Carthaginians did not intend to keep it. The Romans, as usual, sent commissioners, who, with a truly diabolic spirit, deferred giving any decision, but instigated Masinissa. They sent their reports to Rome, informing the senate of the great resources which Carthage still possessed; for the Carthaginians seem to have made great preparations for several years before the war with Masinissa broke out. They had, it is true, no ships of war, but they were abundantly supplied with materials for building a fleet; their arsenals were filled with arms and timber: they were, in fact, fully prepared, and that with the greatest justice, since they were under no restrictions in this respect by their treaty with Rome. The Romans required them to destroy or deliver up their timber; and while the subject was discussed in the senate, old Cato perpetually repeated his advice to destroy Carthage—a blindness hardly conceivable in so wise a man. The sovereignty of the world had given to the Roman senate an importance which formed a compensation for the loss of its influence in the internal affairs of Rome through the ascendancy of the democratic element; and the senators began more and more to feel that they were kings. In regard to Carthage, the senate was divided into two parties: the one, actuated by a blind hatred, thought that Carthage must be destroyed, feeling that Rome was the object of universal hatred; the other party was headed by P. Cornelius Scipio Nasica, who, like many others, seems to have clearly perceived the condition of Rome. Opinions were divided, however, as to the remedy which was to be applied, some thinking that help was impossible, and that accordingly they must live quickly, and enjoy the shortness of life—a man of this kind was Cato; others, like

Nasica, thought that the evil might at least be retarded in its progress by outward remedies, because a thorough reform was perhaps impracticable. A small party which afterwards came forward, with Tib. Gracchus at its head, wanted to attempt a radical cure by strong means. Whether Nasica's policy towards Carthage arose from a love of justice also, is uncertain; but it is at any rate possible that the son of the man who was called the *Best* wished to be just: certain it is, however, that his opinion was not adopted. It was determined to destroy Carthage. When Masinissa had defeated the Carthaginians, and it was thought that the object might now be easily attained, the Romans took the Carthaginians to account for their war with Masinissa, as if it had been a violation of the existing treaty, although it had been only an act of self-defence. The Carthaginians, broken-hearted, sent one embassy after another, imploring the senate to say what they had to do to maintain peace; but they were deceived by equivocal answers, and assurances that nothing should be undertaken against them,<sup>3</sup> if they would but endeavour to make reparation to Rome. Resistance seemed so hopeless, that extreme humiliation on the part of Carthage was necessary. Peace prevailed in all the rest of the world, and Rome was undisturbed.

In 603, the consuls M'. Manilius and L. Marcius Censorinus led two consular armies, consisting, it is said, of 80,000 foot and 4000 horse, among whom there were perhaps many other troops besides those of the Italian allies, to Sicily. They landed at Lilybaeum, where the troops were organised, and where the last Carthaginian ambassadors were directed to apply to the consuls, who had full powers to treat with them. The Carthaginians saw indeed that their destruction was aimed at, and that nothing remained for them but to defend themselves to the last; but yet their ambassadors appeared before the consuls, who de-

<sup>3</sup> Appian, *De Reb. Punt.* 74, fol. l.; comp. Polybius, x. xvi. 1, fol.



clared that the senate did not wish to encroach upon the freedom of the Carthaginian people; that they should retain their freedom, if they would submit to the orders they might receive; but, as they had so often violated the peace, as it was known that they had made large preparations, and as they were divided into so many parties, the consuls desired to have some security; and for this purpose they demanded that, within thirty days, 300 children of the noblest Carthaginian families should be delivered up into their hands as hostages. These children were sent over to Sicily by their parents, in heart-rending despair.<sup>4</sup> Carthage had no friend in all the world. Even her most ancient allies became faithless; and Utica, without having any grounds for complaint, but despairing of the fate of Carthage, had thrown itself into the arms of the Romans, and had been received by them contrary to the treaty with Carthage. After the Romans had, in this manner, secured the submission of Carthage, their army crossed over to Africa, and landed, partly at Utica, and partly at the place where Scipio had been encamped (*Castra Cornelia*). The Roman consuls now took a military position, and informed the Carthaginian magistrates that they were ready to treat with them on anything that had not been settled previously. When the Carthaginian ambassadors appeared before the consuls, they were told that the Romans had information about all their proceedings; that, contrary to the treaty, ships had been built; and that their arsenals were filled with arms intended to be used against Rome: that therefore the Carthaginians must deliver up all their arms, men of war, and artillery; for, they said, as Rome was able to protect them, and as the peace with Masinissa was sanctioned, there was no reason for Carthage to possess arms; and all the preparations that had been made could have no other object than to make war against Rome. Hard as this command was, still it was obeyed.

All their arms were conveyed in 1000 waggons under the eyes of the commissioners into the Roman camp. On their landing in Africa, the Romans had demanded corn for their army, and they had received it from the stores of Carthage, which was thereby brought to the verge of famine. The Carthaginians now believed that they had satisfied the Romans in every respect. But when the ambassadors had their last audience, they were led through the lines of the Roman army, before the tribunal of the consuls, and were told that the government of Carthage had shewn its good-will indeed, but that it had no control over the city, and that Rome could not be safe, so long as it was fortified; the preservation of peace, therefore, required that the people should quit the city, give up their navy, and build a new town, without walls, at a distance of ten miles from the sea-coast. When the ambassadors attempted to remonstrate against this demand, the consuls replied, that they had promised safety to the people and not to the walls, that the former should suffer no harm, and that they might live away from the sea as well as the Romans. This announcement produced the highest degree of despair among the ambassadors. Their last desperate request was, that before the return of the ambassadors, the consuls should allow the Roman fleet to appear before Carthage, to intimidate the city. This was not treason, but the suggestion of despair; for the ambassadors foresaw that, on their return to Carthage, they would be exposed to the fury of an enraged people; and some of them, who had formerly advised their countrymen to be moderate, had not the courage to return, but remained with the Romans. Those who did return refused to give an answer to the people who had come out to meet them, and with tears reported the answer to the senate. The indignation and fury which this news excited in the city of Carthage were so great, that the people determined to perish in the ruins of their city. All the gates were instantly shut, and all the Romans and Italicans, who happened

<sup>4</sup> Polybius, xxxvi. 2; Appian, l. c. 76.

to be there, were seized and tortured to death.<sup>5</sup> This the consuls had not expected. They were, according to the Roman standard, men of cultivated minds and good education; but distinguished as Manilius was as a jurist, he was incapable of commanding an army. They themselves may have thought the fate of the unfortunate city so terrible, that their hearts ached, and that they did not carry out their design with vigour. Had they immediately appeared before the city, they would have taken it, and there would have been less misery; but they remained in their camp, expecting that the Carthaginians would surrender. This whole transaction with Carthage was a cursed and diabolical undertaking.

The city, situated on a peninsula, was protected on the land side by a treble wall, three miles in length, forty-five feet in height, and twenty-five in thickness (in ancient times arsenals had been there); but on the side along the bay of Tunis it had only one somewhat lower wall. The Romans, who expected to find a defenceless population, attempted to storm both walls. But despair had suggested to the Carthaginians means of defence on both sides; and they repelled the assault. Everybody was engaged, day and night, in the manufacture of arms, with enormous and unexampled exertions. The women gave their hair to make ropes for the catapults; slaves were liberated and all the walls were guarded. Hasdrubal, whom they had been obliged to send into exile on account of his conduct, carried on a war against Masinissa, independently of Carthage, with an army of 20,000 fugitives, and ravaged the open country. The sentence of his banishment was now repealed, and he was made general of the Carthaginian forces out of the city.

This war was not decided until the fourth year after its commencement. The history of it is so distressing, that it is painful to me to think of, much more to relate. There can be nothing more heart-rending than this last

struggle of despair, which was necessary, and yet could not end otherwise than in the destruction of Carthage. I will not, therefore, enter into the detail. At first, one might rejoice to see the Romans, with their great forces, fail in their attempts: the awkward consuls were defeated by despair. We do not know who had the command in the city, but it defended itself bravely: outside of it there were two generals, Hasdrubal and Himilco Phamaeas. The manner in which the latter carried on the war, relieved his native city by various diversions, and supplied himself with provisions, bears great resemblance to that of Francesco Ferrucci, during the siege of Florence by the emperor Charles V., in the years 1529 and 1530: he accomplished a thousand brilliant feats, until he fell into the hands of the Spaniards, who, acting like the French in the Tyrol, hung him. But Himilco Phamaeas, who displayed great military talents, shewed in the end how great the moral corruption of his country was, and that he lived in an age in which all sense of honour had become extinct. For, after having accomplished things which were really brilliant, and which ought to have induced him to remain faithful, he entered into negotiations with the Roman consul: declaring to his own friends that the fate of Carthage was decided; that every one's duty was to take care of himself; that, for this reason, he would conclude a treaty for himself; and that he would assist any one who would not identify his own fate with that of Carthage.<sup>6</sup> Some thousands, with their officers, followed his example, and went over to the Romans. This was a great misfortune for Carthage. The Roman senate did not blush to honour this traitor with magnificent robes, extensive estates, money, and other things. Hasdrubal twice defeated the Romans, who had raised the siege and retreated into the country. An attempt of theirs on Hippo likewise failed. It now ap-

<sup>5</sup> Polybius, xxxvi. 5; Appian, *l. c.* 92.

<sup>6</sup> Appian, *l. c.* 108.

peared as if fortune would turn in favour of Carthage.

Masinissa again shewed himself to be a vulgar Eastern traitor ; he does not deserve the praise of the Romans, who call him *socius fidelissimus* : he was in reality a profligate and unprincipled oriental sultan. Hitherto his fidelity to Rome had been natural enough, for he owed his greatness to his connexion with Rome ; but he now began to think that it would be better for him if Carthage were saved, than if it were destroyed ; for he was very cunning, and foresaw that if Carthage became a Roman province, he could extort nothing from it. This however was not all : he also knew that the Romans, according to their maxim, *bella ex bellis serere*, would one day attack his kingdom also ; that if Carthage existed no longer, there would be no motive for the Romans to spare him ; and he was conscious, moreover, that his friendship towards the Romans was not so enthusiastic as to give him a claim on the permanence of their favour and indulgence. Mistrust arose between him and the Romans : he sent them no troops, but only asked what they demanded. The Romans, perceiving the offensive nature of his conduct, replied that they would let him know in due time ; to which he answered that he would wait for their orders. Subsequently they did ask for his assistance, and it was granted. He even began to negotiate with Carthage, wishing that it should throw itself into his arms unconditionally.<sup>7</sup> Those who are acquainted with the history of the East, will remember many parallels to his conduct.<sup>8</sup> The Romans consequently found that he was anything but inclined to support their undertaking. Had the Carthaginians submitted to Masinissa, or his son Gulussa, he would unquestionably have come forward as their protec-

tor ; and it is not impossible that the Roman dominion in Africa would then have been broken. It was folly in the Carthaginians not to do so ; but the state of the open country may have prevented them.

The attacks upon Carthage now ceased, and the two consuls confined themselves to carrying on the war against Hasdrubal and Himilco ; but Hasdrubal completely defeated the consul Manilius, so that he was obliged to retreat with his army to Utica. In the following year, 604, the consuls L. Calpurnius Piso and L. Mancinus went to Africa, and conducted the war very unskillfully. Hasdrubal encamped a few days' march from the town, in a strong place called Nopheris, and all attempts to dislodge him failed. It is astonishing to find that the Carthaginians, without a fleet, had the sea open, and received their provisions by sea. The slow progress of the war, in which the Romans took only a few towns, excited astonishment throughout the world. Just at this time a rebellion broke out in Macedonia, under a pseudo-Philip. The Spaniards also conceived fresh hopes ; and shortly after, Achaia also rose against the Romans. This state of general excitement, which extended deep into the interior of Asia, must have suggested to the Carthaginians the hope that Nemesis would intervene, and make Rome herself the victim of her ambition.

The Romans felt the more ashamed, as their disgraceful conduct towards Carthage must necessarily have been felt by them ; and hence the discontent with their generals was very great. In the year U. C. 605, P. Cornelius Scipio was made consul. Public opinion distinguished him above all his contemporaries. We generally call him Aemilianus, a name which he never bears in the classical age. Analogy and the *usus loquendi* frequently differ very widely, and such is the case here, for according to analogy he might have been called Aemilianus. He is called *P. Scipio, Paulli filius*, and Cicero always calls him so ; the name Aemilianus in the Fasti is an

<sup>7</sup> Appian, *l. c.* 94.

<sup>8</sup> The pasha, e. g., who had at first instigated the sultan against Ali Pasha of Janina, afterwards found that it was more to his own interest that Ali should not be overthrown, but merely weakened.—N,

invention of later times :<sup>9</sup> I am so strongly convinced of this, that I would unhesitatingly declare any passage of Cicero to be spurious if the name occurred in it. Scipio has a great reputation in history, which however, in my opinion, is not altogether well deserved. He was, it is true, a very eminent general and a great man; he did many a just and praiseworthy thing; but he made a show of his great qualities; and Polybius, his friend and instructor in military affairs, who in other respects loves him very much, shews in his narrative quite clearly that the virtues of Scipio were ostentatious.<sup>10</sup> Things which every other good and honest man does quietly, Scipio boasts of, because they are not common among his own countrymen. We feel ashamed of the age in which such things are related as if they were something extraordinary. He had received varied information from Polybius, who had especially instructed him in strategics. What distinguishes him besides his military ability is an unflinching political character: he belonged to those who wished, by all means, to maintain the state of things such as it actually was. He felt comfortable in it, and everything which existed had in his eyes an indisputable right to exist, and he never asked whether it was right or wrong in its origin, or how detrimental its injustice was to the republic itself. Even where he saw the deplorable condition of the state, and knew the evil consequences that would result from it, he nevertheless persisted

in upholding the actual state of things; but he perhaps thought that any attempt at reform would shake the republic to pieces. I know many good and honest men of a similar disposition, who oppose reforms where they ought to be made. The younger can in no way be compared with the elder Scipio, who was a thorough genius, and felt that he was above his contemporaries. Notwithstanding his great love for the people, he hated the individual who placed himself on an equality with him: his absence of prejudice bordered on thoughtlessness, whereas the younger Scipio was an artificial man who wanted genius. His education was much more perfect than that of the elder Scipio, for he possessed all the knowledge of a highly cultivated Greek, and lived on terms of intimacy with such distinguished men as Polybius and Panaetius. He allowed himself to be employed by his countrymen in two fearful destructions which were revolting to his feelings, but he did not do all he could to prevent them; the elder Scipio would not have destroyed Carthage. Subsequently his conduct towards Tib. Gracchus, his brother-in-law, deserves severe censure: he then joined a thoroughly bad party, supporting it with his influence and power, whereby he made himself odious to the people, as is seen at his death;<sup>11</sup> but we must at the same time acknowledge, that he was a very distinguished general at a time when Rome was not rich in military geniuses.

<sup>9</sup> In the current editions of the *Capitoline Fasti*, the name *Aemilianus* in the year 618 (619), seems to be genuine; in Cicero, *Philipp.* xiii. 4, we also find *Aemiliano Scipioni*.

<sup>10</sup> See *Fragment. Peiresc.* 89.

<sup>11</sup> The introduction to the *Somnium Scipionis* cannot be looked upon as historical; even the statement that Scipio first went to Africa as tribune of the soldiers under Manilius and Censorinus is not correct: it is one of Cicero's historical blunders.—N.



## LECTURE LXXXVI.

CICERO has bestowed his special favour on this second Scipio. We sometimes feel a similar interest in a person in history or literature, if, on placing ourselves in his circumstances, we discover that we are one with him; we then come to feel with him and in him, and thus assign to him a character different from that which he really possessed; and the position of Scipio is indeed somewhat similar to that of Cicero. Although the *lex Villia annalis*<sup>1</sup> was otherwise strictly observed, and although Scipio was yet very young, still when suing for the aedileship, he was made consul by the unanimous desire of the people, and without him the war would have been protracted a long time.

Carthage, as I have already remarked, was situated on a peninsula, but did not occupy the whole of it, as has been erroneously inferred from the statement<sup>2</sup> that it was 23,000 paces in circumference.<sup>3</sup> The whole peninsula

<sup>1</sup> The *leges annales* which existed in the time of Cicero had been framed by Sulla; but in the time of Scipio the *lex Villia* (Livy, xl. 44) was unquestionably in force.—N.

<sup>2</sup> Livy, *Epit.* 51. Compare Strabo, xvii. p. 832.

<sup>3</sup> This opinion has been refuted by the researches made on the spot by Colonel Humbert, a sincere, open, single-minded, and straightforward soldier, who was for several years in the service of the Dey of Tunis. The results of his investigations have not yet found their way into books, but his drawings and papers fell into the hands of a real adventurer, Camillo Borgia, a nephew of Cardinal Borgia, who had great talent for drawing. He abused the confidence which Colonel Humbert had placed in him, by copying his drawings, and giving them out as his own. What I here say is known to many, but in Germany no one is aware of it.—N. The work of Camillo Borgia, as far as I know, has never been published; but the learned Dane, Estrup, saw the MS. at Naples after the death of C. Borgia, and made some use of it for his work "*Lineae Topographicae Carthaginis Tyriae*," Hafniae, 1821. By Humbert himself we have "Notice sur quatre cippes sépulcraux et deux fragments, découverts en 1817 sur le sol de l'ancienne Carthage," à la Haye, 1821.

seems to have been surrounded by a kind of rampart, as is now known from the excavations made by J. E. Humbert. The town has been so completely destroyed by the Romans, that no buildings are found above the ground, but foundations of buildings are still visible. The ancient city of Carthage lay between the treble wall running across the isthmus, and a line dividing the peninsula into a western and an eastern part.<sup>4</sup> On the neck of land, the city, as already remarked, was protected by a treble wall. Next to it was Bozra, the citadel, somewhere about the centre of the place occupied by the city. Whether a portion of the space assigned to the city was distinct from the rest and bore a particular name is not known, but seems to me probable enough. The north-eastern part of the peninsula was called by the name of Megara; and in this district it was difficult for forces to land, the coast being steep; it is now called El Marsa. On the south-western side was the port-town.<sup>5</sup> The harbour of Cothon was artificially made, with

<sup>4</sup> Plan of Carthage :—



- a. The treble wall.
- b. Byrsa.
- c. Harbour.
- d. The newly dug Canal.
- e. Megara (Magalia).
- f. Roman Carthage.

<sup>5</sup> See Livy and Strabo, *ll. cc.*; Appian, *De Rebus Pun.* 95, foll.; Polybius, i. 29; Orosius, iv. 22.

a narrow entrance, and consisted of several basins, like the docks in London. From the road, ships passed into the commercial docks, and thence by a canal to the 'arsenal, which was situated on an island and strongly fortified. Round these basins were buildings with the equipments for each ship. This port-town was of later origin. In the course of time a large suburb had been formed in Megara or Magalia, the situation of which cannot be accurately determined; it consisted of many gardens, but was likewise surrounded by a wall. When C. Gracchus, and after him Julius Cæsar, endeavoured to restore the city, they heeded the curse that lay on the ancient site, and built the Roman Carthage in Megara, by the side of the ancient city,<sup>6</sup> as may be distinctly seen from the Roman antiquities found there. Of Carthaginian antiquities nothing but tombs have been discovered, which 'cannot, of course, surprise us, for it was outside the city.

Appian is our only detailed authority for this war, and fortunately he has here copied Polybius, for otherwise he is below all criticism. But even as it is, his accounts, as well as those of Zonaras, are very obscure and unconnected. From them we only see that Scipio landed in front of the peninsula, established himself there, and took the suburb; so that Carthage was confined to the old town and its ports. Even in the year before Scipio's consulship, L. Mancinus had discovered a spot on the northern side of Megara, where an army might land and establish itself.<sup>7</sup> After this was taken, Scipio began to besiege the city itself with all his energy: it was useless to attack Carthage on the land side where it was protected by the treble wall, and he therefore directed his attacks against the southern side. The Carthaginians soon began to suffer from scarcity of provisions, and a

famine would unquestionably have compelled them to submit; but, in the meantime, the Carthaginians summoned Hasdrubal to the city, and he formed a fortified camp on the isthmus: but when the suburb was taken, he was seized with a panic, and threw himself into the city; whereupon the Romans took possession of his camp, so that Carthage was now quite surrounded. Bithyas, another Carthaginian general, who had remained in the interior of the country, with the greatest resolution and indefatigable exertions, succeeded in carrying into the city convoys of provisions, through the midst of the awkward ships of the Romans.<sup>8</sup> In order to prevent the repetition of such boldness, Scipio had recourse to stopping up the mouth of the harbour; this was easy because the bay was very shallow, and he succeeded so completely that the whole bay is now a swamp, though this is partly the result of the mud and sand which are driven thither by the current from the Syrtes. Its extent can now be recognised only from the nature of the ground, as in Italy the port of Trajan is recognised in the place called Porto.<sup>9</sup> From this dam Scipio, by means of engines, endeavoured to destroy the quay of the harbour. The desperate struggles of the Carthaginians to prevent this almost surpass conception; yet the greatest thing they did was, when they perceived that they would soon be shut up, they set about digging a new passage out of the harbour, through the narrow neck of land by which the harbour was separated from the sea; and that they secretly built in their arsenal a fleet of 50 triremes, with which they sailed through the new passage into the sea, to attack the Roman fleet. The Romans were so perplexed and confused at this sight, that Polybius (in Appian) is quite right in thinking that, if the Carthaginians had attacked them at this moment, they might have destroyed the Roman fleet entirely, for the Romans had entirely neglected

<sup>6</sup> Appian, *l. c.* 136; Plutarch, *C. Gracchus*, *xx*, *Ful. Cæsar*, 57; Livy, *Epit.* 60; Dion Cassius, *xliii.* 50, *lii.* 43; Pausanias, *ii.* 1. 2.

<sup>7</sup> Appian, *l. c.* 113.

<sup>8</sup> Appian, *l. c.* 120.

<sup>9</sup> Pliny, *Epist.* vi. 31; Rutilius, 237, &c.

their navy. But here we see the same thing that we so often meet with in the history of man : after their superhuman exertions their resolution failed ; they hesitated for a few days ; and while the Romans were preparing themselves to meet a serious attack, the Carthaginians irreparably lost the fruits of their labour. The Romans, who had renounced the sea, prepared their ships as well as they could, and the Carthaginians were repelled chiefly by the Græco-Asiatic ships of Sida, which fought in a peculiar manner. Four of these small ships of Sida cast anchor, turned upon them as upon an axis, and thus defended themselves against the attacks of the Carthaginians. The others followed their example, and the Carthaginians were obliged to retreat. When on the following day the Carthaginians again sailed out, great confusion arose within the channel, which unfortunately had been made too narrow ; as the ships were hurrying out of the port, many of them were thrown by the Romans against the quay, and the fruit of their enormous exertions was destroyed. It is sad to see how everything was lost through the unhappy chance of a single moment. Scipio now took possession of that part of the harbour which was destined for merchant-ships, and proceeded thence through the canal till he reached the arsenal. One part after another of the city was thus taken ; and as the Carthaginians saw that the arsenal could not be defended, they first, perhaps too hastily, set fire to it, and then to the store-houses of the ships.

The Romans were now in possession of both harbours ; and Bozra, the citadel, which was on that side not protected by walls, became the object of the contest. The treble wall on the isthmus, however, was not yet in the hands of the Romans. The struggle which now commenced is similar to that of Saragossa in Spain in 1808. The three main streets, leading from the harbour to the centre of the citadel, were lined with rows of houses, of from six to eight stories in height, and with flat roofs ; all these houses, as we

may imagine, were of solid structure ;<sup>10</sup> and those streets seem to have been the seats of wealth and of the old families. Even in the description we recognise the gradual formation of the city. The houses were conquered one by one, by breaking through the walls from room to room and from house to house ; for the means of blowing up the houses, which were used at Saragossa, were then unknown. The struggle was at the same time carried on upon the flat roofs of the houses ; when the soldiers had fought their way up the stairs, and driven the unfortunate inhabitants out of the last flat, bridges were formed from the roofs across the streets. The overwhelming forces of the Romans rendered the victory certain. In addition to all this, a complete famine raged in the city, and the living fed upon the bodies of the slain, yet no one would hear of surrender. Hasdrubal, moreover, had treated the Roman prisoners with such cruelty, that no one could have thought of it. After one part of the city had been taken with much bloodshed, the Romans stopped and set fire to the houses ; while the Carthaginians retreated before the flames, the Romans pulled down the houses, and thus formed an immense heap of ruins against the wall and the citadel. The frightful description of this conflagration is evidently taken from Polybius, the unfortunate eyewitness of the atrocities there committed. The soldiers purposely buried the wounded who were yet alive, under the ruins. Amid this unspeakable misery, the Romans penetrated into the old town, and every one now tried to save his life ; the priests with emblems of truce came out, imploring the conqueror to spare their lives. Scipio issued a pro-

<sup>10</sup> As regards architectural beauty, we must consider Carthage as a city like the fine towns of Greece, or like Rome ; but Carthage was built on a more grand and magnificent scale ; in confirmation of which we need only remember that the streets were constructed according to artistic rules, which were unknown to the Greeks. The first construction of regular streets is ascribed to the Carthaginians, and I believe, with justice.—N. Isidorus, xv. 16, § 6.

clamination, that the lives of those who would come out should be safe. Thus the remaining population, 50,000 in number, came forth; only the Roman deserters, with Hasdrubal and his family, withdrew to the highest point of the citadel, a great sanctuary which is called *Ἀσκληπιεῖον*.<sup>11</sup> Hasdrubal was base enough to beg of Scipio to save his life, which was readily granted, that he might adorn the triumph of the Roman general. But his wife, standing on the pinnacles of the temple, gave vent to her indignation at this cowardly act of her husband, and threw herself with her children into the flames. Her example was followed by the deserters. Thus perished Carthage, after it had existed for nearly seven hundred years; and Scipio was master of a bloody heap of ruins; but many things must have been preserved, as he took from the temple many Sicilian monuments, which he sent back to Sicily. The senate had not destroyed Capua nor Tarentum; but Scipio was obliged by its will to destroy Carthage; he now completed the work he had commenced by drawing a plough over the site, the symbol of its destruction for ever, and the departing army left behind nothing but the most perfect desolation, amid which sixty years later Marius was sitting. The captives were treated more or less humanely; most of them were sold as slaves, some were put to death; a few of the more illustrious persons experienced a better fate, being distributed among the towns of Italy: among these last was Bithyas. The life of the unworthy Hasdrubal was spared by the Romans, whose ancestors had put to death the great C. Pontius. A part of the territory of Carthage was given to the kings of Numidia, the three sons of Masinissa, who was dead, and the rest was constituted as a Roman province, governed by a proconsul or praetor.

At this time a war, which had in the meanwhile broken out in Macedonia, was already concluded, and the

fall of Achaia was near. As regards the Macedonian war, it is almost impossible to conceive how a whole nation could allow itself to be imposed upon in such a manner. The Pseudo-Demetrius in Russia was, according to the best historians, not by any means an impostor; and the only reason why he was not recognised was the fact that he had become a Roman Catholic while he was educated in Poland, and that he had adopted European manners. Sebastian of Portugal, although there is not that amount of evidence in his favour which there is for Demetrius, was probably the unfortunate prince himself.<sup>12</sup> But the Pseudo-Philip of Macedonia was a real impostor, probably a Thracian gladiator, whose name was Andiscus, and to whom it occurred, no one knows how, to give himself out as the son of Perseus, to whom he probably bore some resemblance. Such impositions are not uncommon in Asia, and during the middle ages a few instances occur in Europe also. The war broke out as early as the consulship of Scipio (Carthage being destroyed by him when proconsul), and perhaps even the year before. The Pseudo-Philip first appeared in Macedonia, where he found some followers; but, being unable to maintain himself, he went to the court of Demetrius, the king of Syria, who delivered him up to the Romans.<sup>13</sup> Demetrius was just the person to commit such an act, for he had every reason to restore, if possible, his relations with the Romans, having only just escaped punishment from them. After the death of his brother, Antiochus Epiphanes, he had fled from Rome to secure his succession. The Romans had sent commissioners into Syria, because they had learned that the Syrians, contrary to their treaty, kept elephants, and had built more ships than they were allowed. One of these commissioners was killed during

<sup>12</sup> Lessing, in his *Litteraturbriefe*, has excellent discussions on this subject, although it is one which, properly speaking, he was not familiar with.—N.

<sup>13</sup> Livy, *Epit.* 49.

<sup>11</sup> Appian, *l. c.* 130; Strabo, xvii. p. 832.



an *émeute* at Laodicea, and Demetrius only averted the vengeance of the Romans by surrendering the guilty persons and killing the elephants. Under these circumstances, it was natural for Demetrius to deliver up Andriscus. At Rome, the adventurer was so much despised, and so carelessly watched, that he found an opportunity to escape. After the triumph of Aemilius Paullus, it was well known that Perseus and his sons were kept in captivity at Alba, on lake Fucinus, in the country of the Marsians.<sup>14</sup> The king survived his cruel fate only two years; he had clung to life so childishly, that he would not avail himself of the suggestion of Aemilius Paullus to make away with himself. He was probably killed by having been perpetually disturbed in his sleep. His elder son died in the same manner, and the younger lived in extreme degradation; the latter was a person of good talent, he learned Latin, and gained his daily bread by acting as scribe to the municipal council of Alba. Beyond this we know nothing of him.

When Andriscus appeared in Thrace, whither he had fled from Rome, and where the Romans were already feared or hated, numbers of people gathered round him, by whose assistance he was enabled to enter Macedonia, where he immediately issued a proclamation declaring himself the son of Perseus. The Romans being engaged against Carthage had no army in those parts, so that the impostor had only to conquer the Macedonians, whom he defeated on the eastern bank of the Strymon. To the great amazement of all, he crossed this river, and gained a second victory over the Macedonians, after which they all submitted to him. His success was extraordinary; and he assumed the diadem under the name of Philip. Macedonia must at that time have been in rather a wretched condition; for, after establishing the farce of a republic, the Romans had transplanted the noblest Macedonians to Italy; and as the rest of the popu-

lation were very credulous, and had from ancient times been used to kingly power, Andriscus made the most astonishing progress. He then invaded Thessaly, where he likewise found followers, and which would have been inevitably lost, had not Scipio Nasica, who happened to be there, assembled the contingents of the Greeks, and repelled Philip. At that time, therefore, the Greeks were still faithful. Andriscus was in reality a tyrannical man.<sup>15</sup> Polybius in one of his fragments calls him *ἀνὴρ στυγνός*.<sup>16</sup> But he nevertheless knew how to make people respect him. His exertions were extraordinary, and he even ventured to carry on the war against the Roman praetor, P. Juventius Thalna, whom he defeated, and then again entered Thessaly. The affair had now assumed a serious aspect, and the praetor Q. Caecilius Metellus was sent against him with a considerable army, which he increased with auxiliaries. Metellus landed on the coast; and the position of the usurper was particularly difficult, from the circumstance of Macedonia being in some parts accessible by sea. The Achaeans, however, were beginning to shew a rebellious spirit, and the prolongation of the war would have been followed by an insurrection. After several engagements, Metellus drove the pretender out of Thessaly. Philip retreated to the neighbourhood of Pydna, where Perseus had been defeated, and being followed by Metellus, the decisive battle was fought. The Macedonians being superior in numbers, dispersed to make a predatory excursion; Metellus availed himself of the opportunity, and Philip was completely defeated. But the conquest of Macedonia in this insurrection was not as easy as formerly, for many places defended themselves, because they anticipated worse treatment. It must have been on this occasion that Pella was destroyed; Dion Chrysostom,<sup>17</sup> in the first century of our era, speaks of it as a town

<sup>14</sup> Polybius, *Excerpt. Vat.* lib. xxxiv.—xxxvii. p. 79, ed. Lucht.

<sup>15</sup> Diodorus, *Fragm.* lib. xxxii. p. 590.

<sup>16</sup> *Excerpt. Vat.* p. 85, ed. Lucht.

<sup>17</sup> *Orat.* xxxiii. p. 12, foll., ed. Reiske.

in ruins. At present it lies buried under mounds of earth, which indicate its site; and the most interesting remains of ancient art might be discovered there; but the present condition of Europe affords little hope of soon seeing any investigations made there. Andriscus was taken prisoner in Thrace, whither he had fled after the battle, and was put to death. Macedonia became a regular province, and thenceforth a governor seems to have been annually sent to it. The few privileges which the Macedonians yet possessed, were taken from them.

Had the Achaeans clearly known what they wanted, they would have exerted themselves at the time when Andriscus rose against the Romans; but imprudence led them into follies which could not have any beneficial consequences. The history, or rather the explanation of the decline and fall of Achaia, is foreign to my plan; but I may make a few observations, to give you some notion of the state of things there. Although it cannot be denied that the causes which brought about the downfall of Achaia were disgraceful to the Achaeans, yet that downfall was followed by circumstances which rendered the condition of the survivors more deplorable than it had been before, and this excites our sympathy for them. That degenerate people, moreover, still contained many excellent men. The Romans had long since resolved upon the destruction of Achaia; and through the instrumentality of traitors, especially Callicrates and Andronidas, they exercised unlimited influence there. Hence there arose many causes of disturbances; and when those traitors had established themselves, they too were no longer as willing as they had been to promote the objects of the Romans. The whole mischief resulted from the unfortunate act of violence committed by the otherwise excellent Philopoemen, who is justly called the last of the Greeks. He entertained, from his infancy, a deadly hatred of Sparta, and ever since Cleomenes had destroyed his native city of Megalopolis, his chief object was to subdue Sparta.

He availed himself of the war of Rome against Antiochus to compel Sparta to join the Achaean league, and to adopt the customs and forms of the confederacy; for among the Achaeans such an amalgamation took place, although it does not occur in other similar confederacies of antiquity. Achaia then comprised the whole of Peloponnesus, and formed a confederation of states, which was as irrational as our unfortunate German confederacy, in which the pettiest prince has, in reality, as important a vote as the state on which the safety of Germany depends. It also resembled the American confederacy previously to the constitution of Washington, when Delaware, for instance, with its 70,000 inhabitants, was on an equality with Virginia, which had a population of half a million.<sup>18</sup> It was this irrational constitution which ruined the Achaean league. Elis was a great city and country, and Laconia, even without its maritime towns, was larger than all Achaia proper. The latter had only twelve towns, some of which were surely not more important than Sinzig on the Rhine, yet each of these towns had the same vote as Sparta.<sup>19</sup> Some modifications, it is true, were made to render this state of things bearable. A second point was still more revolting: as Sicyon had adopted the Achaean νόμιμα (which was quite right), so also Sparta was obliged to abolish the laws of Lycurgus, to which the people were so much attached; and a few years before the war against Perseus, they had been compelled to adopt the Achaean νόμιμα. Spartans at this time can hardly be spoken of, there being only Lacedaemonians; the former had disappeared, and the population of the city, consisting of the descendants of perioeci and neodamodes, had acquired under Cleomenes the full franchise under the name of

<sup>18</sup> A similar state of things is found in the history of the Dutch republics, where Holland, which formed more than one-half of the population, and paid 58 per cent. of the taxes, had the same number of votes as Zeeland, which paid only 3 per cent.—N.

<sup>19</sup> Compare vol. ii. p. 29, foll.

Lacedaemonians. These Lacedaemonians had adopted the laws and the *ἀγωγή* of Lycurgus, and this was with them a point of ambition. It was therefore a great cruelty on the part of Philopoemen to compel them to give up those laws, for the new constitution interfered with the whole business of daily life; and the Achaean laws, moreover, were such that not very much good can be said of them; and whatever may be alleged against the Spartan order of things, still it trained able warriors. Hence the Lacedaemonians tried to get rid of that hateful connexion, and this attempt was followed by long negotiations. At the beginning of the 7th century the Achaean constitution was still in force; and a Lacedaemonian Menalcidas was even strategus of the Achaean league.

About this time unfortunate quarrels occurred between the Oropians and the Athenians, the former of whom bought the assistance of Menalcidas for ten talents. This aid came indeed too late; but still he extorted from them the stipulated sum, and although he had previously promised a part of it to Callicrates, he afterwards kept the whole for himself. The charge which Callicrates now brought against him was the cause of all the misfortune of Achaia, for Menalcidas exerted himself to separate Sparta from the confederacy; and he succeeded. During the negotiations which were carried on at Rome in consequence, both Menalcidas and the Achaean ambassador deceived their constituents, each bringing forged decisions from Rome. This happened during the most unfortunate period of the third Punic war. When Lacedaemon declared itself independent of the confederacy, a war broke out between it and the Achaeans, in which the former was worsted. Menalcidas was a wretched general; and the Lacedaemonians were so hard pressed, that they were obliged to make a treaty by which the Achaeans gained all they wanted. Menalcidas made away with himself, and the Lacedaemonians again joined the Achaean league.

The Romans had not been able to decide what course to pursue; but

when in the year 605 they clearly saw that Carthage would fall, they spoke in a different tone to the Achaeans; and they now took a step which they had undoubtedly long before made up their minds to adopt. The Achaeans had committed an act of direct disobedience, and had thereby provoked the vengeance of the Romans, although during the insurrection of the Pseudo-Philip they had remained faithful and assisted the Romans. But it may have been the very prosperity of Achaia that induced the Romans to destroy it. The extent of Achaia at that time cannot be accurately ascertained, but it seems to have comprised the whole of Peloponnesus and Megara; and although Attica, Phocis and Locris did not belong to it, yet even more distant places were connected with the league by isopolity, such as Heraclea near Mount Oeta, and Pleuron in Aetolia. The Roman commissioners C. Aurelius Orestes and his colleagues, who appeared at Corinth, declared it to be the will of the Roman senate that Lacedaemon should be independent, and on the ground of the disorders arising from the combination of so many heterogeneous elements, they demanded that all those places which had not been united with Achaia at the time of the treaty with Philip, but had belonged to his dominion, should be separated from the confederacy; these places were Corinth, Orchomenos in Arcadia, Heraclea and Pleuron;<sup>20</sup> whether Elis and Messene were likewise included in the number, is unknown, because Appian's information is too scanty, but the Excerpta of Constantinus Porphyrogenitus will probably yet throw much light upon this period. The portions to be given up formed about one-half of Peloponnesus, and comprised the most important towns. The Achaean council assembled at Corinth would not listen to the whole of this message, but ordered the doors to be thrown open and the people to be

<sup>20</sup> Livy, *Epit.* 51; Pausanias, vii. 14; Dion Cassius, *Fragm.* Ursin. 165; Justin, xxxiv. 1; Polybius, xxxviii. 1, foll.

summoned to witness the crime of the Romans.<sup>21</sup> The rage of the people was unbounded; and the Roman

<sup>21</sup> We often find in Roman authors the expression that Corinth was destroyed *ob pulsatos legatos*. The verb *pulsare* is not correctly explained in our dictionaries, for it does not imply that the ambassadors were actually beaten: *pulsare* in its technical sense means in general to *insult* an ambassador, to treat him in a manner contrary to the laws of nations; even an improper *appellatio* of an ambassador, by which his dignity was violated, was called *pulsatio*.—N.

ambassadors returned to their lodgings without receiving any answer; the people dispersed in the town and attacked the Lacedaemonians; all the houses, not excepting those of the Roman ambassadors, were searched, to see whether any Lacedaemonians were concealed in them. Aurelius Orestes, the chief of the ambassadors, was resolved to take vengeance; but the Roman senate was not inclined to inflict punishment at once.

## LECTURE LXXXVII.

THE Roman senate did not trust its allies, and again sent commissioners, so that by submission the Achaeans might have saved themselves. But the demand of the Romans was a glaring injustice. Roman history during this period is unfortunately full of atrocities and arbitrary proceedings against foreign nations; there is henceforth nothing pleasing in it. We can only seek for instruction, for just at the time when it loses its moral interest, the whole history of antiquity is swallowed up in it; and whatever part of universal history does not come under the history of Rome is so unimportant, that it is not worth being studied. The Achaeans could hardly hope to induce the Romans to desist from their demands; they ought to have submitted to necessity; and it was madness on their part to set themselves against it. In such circumstances, those persons who use the boasting language of patriotism mislead their nation, and are themselves the most outrageous tyrants, but those who preach submission are looked upon with contempt. The case of the Achaeans was similar to that of the unfortunate Jews in their last struggle against the Romans described by Josephus, where those who pretended to be the advocates of liberty were the most furious tyrants, though they were considered as patriots ready to sacrifice every thing for their coun-

try. I refer you, by way of illustration, to the prophet Jeremiah, who justly complains that it was the false prophets who led the people to senseless undertakings. Such was the case among the Achaeans: those who spoke of independence were not the men who had the best intentions; the real patriots were those who advised their countrymen to keep peace.

The insult which had been offered to the Roman ambassadors did not call forth immediate revenge, for Rome was yet engaged in the wars against Macedonia and Carthage; but it was kept in reserve, and embassies went to and fro between Rome and Achaia. Callicrates, the traitor, who had been at the head of the Roman party, had completely sold himself to the Romans. After his death the Achaeans were under the influence of Critolaus and Diaeus, the most furious opponents of Callicrates, who were literally madmen, exhorting the Achaeans to the most determined resistance against Rome. If they had given the matter but a moment's thought, they would necessarily have seen that it was impossible to stand against the Romans, even if the Homeric gods themselves could have come to their assistance. Critolaus kept the Roman ambassadors in a state of ignorance. The Achaeans assembled only twice a year; Critolaus summoned one of these assemblies,



promising to introduce the ambassadors, but sent a secret message to all not to come, and then declared that according to the laws of the league, no new assembly could be convened till after the lapse of six months. The Achaeans now began their warlike preparations: we can hardly conceive the folly of so little and insignificant a people imagining that they could hold out against the Romans. They had for the last fifty years been under the protection of the Romans, and during that period they had only occasionally carried on petty warfare; for the greater part of that time they had been inactive: they had no standing army, but only a militia, which had yet to be trained. They had spent their happy time very ill in indulging in sensual pleasures, and had neglected to prepare themselves for the evil day that was coming. From the newly discovered fragments of Polybius, we see that they had not anticipated the possibility of a danger that might threaten their very existence; and a moral depravity, which it is distressing to contemplate, had spread very widely among the Achaeans. After several discussions for and against, they had the wantonness to declare war against the Romans. The Boeotians and Chalcidians, who were as thoughtless as the Achaeans, joined them.<sup>1</sup> The Aetolians did not follow their example, perhaps because they were glad to see their rivals embark in an undertaking in which they could not but fail. Critolaus led a small army towards Thessaly, probably hoping to find the Pseudo-Philip still able to hold out against the Romans, who would thus have been shut up between two hostile armies. He had imagined that Macedonia would continue the war, and that Thessaly would perhaps join him immediately on his arrival; but before he reached Thermopylae the fate of Macedonia was decided. In Heraclea, at the foot of Mount Oeta, which had

before joined the Achaeans, but in compliance with the command of the Romans had renounced the Achaean confederacy, there was still an Achaean party. A corps of Achaeans which had already passed Thermopylae, and was besieging Heraclea, hastily fled back to the main army, as soon as Metellus arrived with his forces, and joined Critolaus, who had not yet reached Thermopylae. Experience indeed had shewn that the pass could be evaded, but the recollections of the place might at least have invited the Greeks to a glorious death. But the worst they could do they now did, in hastily breaking up to march to the Isthmus. As soon as Metellus had heard of the invasion of Thessaly, he hastened from Macedonia to meet the Achaeans. Near Scarphæa<sup>2</sup> he encountered their rear, and created such a panic among them that they were scattered like chaff before the wind.<sup>3</sup> Critolaus himself vanished from the field of battle, and it is highly probable that he may have sunk with his horse in the marshes on the sea-coast.<sup>4</sup> Story-tellers seem to wish, by this mysterious statement, to mark him as the evil demon of Greece. After the Achaeans were thus completely routed, the Romans entered Boeotia; and a detachment of 1000 Arcadians, who had not advanced further than Elatea in Phocis, but were now retreating in consequence of the news of the battle, fell into the hands of the Romans in the neighbourhood of Chaeronea, and were all cut to pieces. The distressing state of Greece at this time is well described in the fragments of Polybius, which also shew how greatly he has been wronged by the reproach of a want of feeling for the woes inflicted on his country, for all he says is the expression of the most unspeakable grief.

Metellus advanced towards the Isthmus. All the inhabitants of

<sup>1</sup> Pausanias, vii. 14; Livy, *Epit.* 52; Polybius, xl. 1, foll. The Chalcidians were perhaps afraid of losing their recently-recovered independence; these circumstances are obscure.—N.

<sup>2</sup> Some MSS. of 1829 have Thonium in Locris, probably a momentary slip of the tongue.

<sup>3</sup> Pausanias, vii. 15; Veil. Pat. i. 11; Livy, *Epit.* 52; Polybius, xl. 3, foll.

<sup>4</sup> Pausanias, vii. 15, 3. Compare Livy, *Epit.* 52.

Thebes quitted their city and sought refuge on the heights of Cithaeron and Helicon. Metellus after taking the city shewed a humane disposition and a wish to spare the Greeks, for he pitied them; but it was of no avail: he could not act as he wished, partly on account of the conduct of the Greeks themselves, and partly because Providence had decreed their destruction. What had happened at Thebes was repeated in nearly all the other towns, for no one thought of defending himself. The Roman fleet in the meantime sailed round Peloponnesus, and landed some troops near Patrae in Achaia, who ravaged the country in the most barbarous manner, for it was everywhere impossible for the Achaeans to defend the coast. The contingents of those districts were thus prevented from marching to the Isthmus, and endeavoured to defend their own towns; but in vain. Diaeus, who was now strategus of the Achaeans, had enlisted all the slaves capable of bearing arms, and yet his army consisted of not more than 14,000 men, although Achaia had enjoyed peace for half a century; this small number shews the high degree of both the moral and the political misery of Greece, a country in which every thing is so easily restored, and in which wealth and abundance flow from ever inexhaustible sources. He was encamped near Megara; but on the approach of Metellus he retreated towards the Isthmus. The Achaeans ought now to have made peace, for Metellus was of a noble nature, and had the good of Greece at heart; he even offered to negotiate, but Diaeus, a man perfectly mad and without conscience, who ought, like Papius Brutulus, to have put an end to his life now instead of afterwards—for in that case it would have been easy for the Achaeans to obtain a favourable peace, in which the several states of the confederacy would have retained their independent existence—fancied that he was able to defend the Isthmus: he rejected all proposals of peace, and his faction predominated at Corinth. Before Metellus reached the Isthmus, Mummius

hastened to take the command of the army; he was not of as gentle and humane a disposition as Metellus, for all that he sought was laurels for himself and booty for the Romans. He tried to arrive before Metellus had concluded peace, for the latter, although a plebeian like Mummius, yet belonged to a family which had long been in the possession of curule offices; he was a *nobilis*, and would probably have prevailed upon the senate to sanction the peace; Mummius, on the other hand, was a *novus homo*, and not aristocratic. The Achaeans were successful in one cavalry engagement, and this so dazzled them that they provoked the Romans to a battle, in which they were so speedily and so completely defeated, that there was no possibility of facing the enemy again. The impregnable Acrocorinthus ought to have been defended; but while the whole army in its flight passed by Corinth, seeking shelter in the mountains, the entire population of Corinth, who saw their own defenceless condition, fled towards the Arcadian mountains. The city and citadel were abandoned, and no one remained behind. On the third day after the battle, Mummius thinking it impossible that the people should have quitted the city without attempting to defend it, ordered the gates to be broken open, and convinced himself that the place was deserted. Thus the Romans took possession of Corinth and began to plunder it.<sup>5</sup> Corinth possessed the most splendid works of art, which were either carried away or destroyed, and the town itself was reduced to a heap of ashes: the honesty of Mummius was that of a barbarian. All the Corinthians were sold as slaves; Thebes and Chalcis were likewise destroyed; respecting other towns, it is uncertain how they were dealt with. In the time of Pausanias<sup>6</sup> Thebes was only a small village within the Cadmea. The population of the whole of Peloponnesus would have been sold into slavery, had not Polybius, through his

<sup>5</sup> Pausanias, vii. 16.

<sup>6</sup> ix. 7, 4.

friend Scipio, induced the senate to make some fair regulations. Greece became a Roman province, and only a few places, as Sparta and Athens, which had taken no part in this war, remained *liberae civitates*. The real province was Achaia, and the other Greek countries formed only an appendix to the province, which was governed by the praetor of Achaia. Phocis and Boeotia were obliged to pay tribute, a thing which they had never done, even under the rule of Macedonia. They received, moreover, a uniform constitution, in the formation of which Polybius had a share, and which is said to have much contributed to the recovery of the people; but the Greeks were paralysed, no one being allowed to have landed property in a state of which he was not a member; all *συστήματα* of the nations were abolished; all the *concilia*, and probably the *commercium* and *convivium* between the several places also, were forbidden. The territory of Corinth was made *ager publicus Romanus*. During this distress of Greece, Polybius fulfilled the bitterest of duties: he returned to his country to obtain, by his mediation, tolerable terms for those who survived, and to save many a relic dear to his feelings. He thus obtained the restoration of the honours paid to Philopoemen, whose name the Romans hated.<sup>7</sup> The lot of Polybius was that of a physician who has to make a desperate cure on his own wife or children. Love indeed inspired him, but that very love causes such an operation to rend the heart far more painfully than if a stranger performed it. Such courage is more than heroism: to endure such things in the country where he had formerly lived in happiness, not to despair in the midst of general despair, and then to induce tyrants to be moderate, and in the end to gain a certain object after all,—these are characteristics of a great man. The author of a petulant essay on Polybius, which appeared several years

ago, has only exposed his ignorance by not acknowledging the true greatness of Polybius. All concessions that were in any way favourable to Greece, were obtained solely through his exertions.

The wars which had been carried on in Spain for many years may be divided into great periods: the first comes down to the end of the second Punic war; the second extends from that time to the peace of Sempronius Gracchus, the result of which was, that the Romans became masters of Catalonia, Valencia, Andalusia, the western part of Aragon, and the east of Castile, and acquired a kind of supremacy over the Celtiberians. In one of the articles of this peace, the Spaniards had pledged themselves not to build any more towns. But, at the close of the sixth century, when the Celtiberians extended the circumference of their town of Segeda, for the purpose of concentrating themselves in it, the Romans, referring to that article of the treaty, interfered, and a fresh war broke out, which lasted for nearly four years,<sup>8</sup> and may be called the first Celtiberian war, as it was in reality confined to the Celtiberians, who consisted generally speaking of four tribes. The Romans, with their much superior forces, at first made progress, but, on many occasions, they were fairly beaten. The small tribes in the mountains of Old Castile and western Aragon were of a thoroughly heroic character; the Arevaci, however, were the most important of them. Formerly they had no doubt been dangerous to their neighbours, but now all their efforts were directed solely to the maintenance of their independence. The Romans, however superior in their forces, were unable to bring about a final decision, and fortune was so little favourable to them that it seemed as if Providence wished to remind them of Nemesis, as a slave is said to have reminded his conqueror while celebrating his triumph. The consul M. Claudius Marcellus, the grandson of

<sup>7</sup> Polybius, xl. 8, foll., *Excerpt. Vat.* p. 89, ed. Lucht.

<sup>8</sup> Appian, *De Rebus Hispan.* 44.

the Marcellus who had been five times consul during the period of the second Punic war, was a man of ancient Roman virtue and of great humanity, who honoured and respected those people who were struggling for nothing but their freedom. He therefore endeavoured to intercede for them, and procure them a peace on equitable terms. But the Roman senate maintained that it was incompatible with the dignity of the republic to conclude a peace with an inferior nation, and that the Celtiberians must submit to their discretion before anything could be said about peace. Marcellus, therefore, seeing no other way of putting an end to the war, and abhorring the miseries which might be inflicted on the Celtiberians by a cruel successor, managed to gain their confidence. It is remarkable to see the extraordinary power which personal qualities always had over the minds of the Spaniards, and how they gave their full confidence to one general, while there were others whom they would not trust on any condition. They followed the advice of Marcellus, who concluded a very reasonable peace and received hostages. The hostages, however, were sent back, and he merely obliged them to provide a number of horsemen to serve in the wars in Spain, and perhaps also in Africa. For the present the war was thus concluded. Other generals, however, such as L. Lucullus, who succeeded Marcellus in Spain, behaved quite differently. Lucullus, had flattered himself with the idea that he could subdue the Celtiberians, which he was now prevented from doing by the peace of Marcellus. He accordingly stirred up a war against the Vaccaeans who lived in the neighbourhood of Salamanca, and conducted it with varying success, though owing to the want of unity among the Spaniards, the Romans gradually made some progress.

About the same time, another war had broken out in the south of Lusitania.<sup>9</sup> The Lusitanians did not inhabit the whole of Portugal; they ex-

tended only a little north of the Tagus, occupying the southern part, with the exception of Algarbia, and were allied with the Bettones in the Spanish part of Estremadura. They were a nation of robbers, and very different from the Celtiberians, who were a serious, conscientious, and just people; and the Lusitanians were therefore just as troublesome to the ancient Spaniards as the Romans; but they had hitherto been without any such great leader as the one who soon afterwards appeared among them. On one occasion, when they had robbed the Roman subjects in Andalusia, a war was commenced against them, which the Romans carried on in a very horrible manner, as was their custom during that time. A specimen may be seen in the fate of Cauca. Lucullus had promised to pardon that town, on condition of its surrendering its arms; but when the people, trusting his word, had done so, they were all massacred. It was this faithlessness which rendered the resistance of the Spaniards so desperate. The Lusitanians were excellent as light troops, and very troublesome to the Romans by their predatory excursions; but there is nothing to excuse the conduct of the Romans towards them. The Romans under Ser. Sulpicius Galba were victorious, and a portion of the Lusitanians, who sought for mercy, gave hostages, surrendered their horses, and were willing to submit to any terms that might be dictated. The consul, declaring that he knew them to be forced to war by distress, promised to transplant them, and give them settlements in a fertile country. Sulpicius Galba, who made this promise, was a distinguished rhetorician and jurist, of one of the first patrician families, the pillar and light of the aristocracy; yet by his conduct he forfeited his own honour and that of his ancestors. He ordered the Lusitanians to encamp in three divisions at some distance from one another, and after having treacherously induced them to surrender their arms, under the promise that they should be restored to them in their new country, he ordered all of them to be mas-

<sup>9</sup> Appian, *De Rebus Hispan.* 56, foll.



sacred.<sup>10</sup> One of those who escaped on that occasion was Viriathus, a man who caused the Romans to do penance for that act of treachery, by a war which lasted for several years, in which the Romans covered themselves with disgrace. It may be that this cruelty did not arise from Galba's savage nature alone, but in part also from the fact that he could not trust the sincerity of the Lusitanians. But however this may have been, honest old Cato brought a capital charge against him for this crime; and Sulpicius Galba would have been condemned to death, had he not implored the mercy of the people by producing his own young children and those of his cousin.<sup>11</sup>

Out of this war, in which Galba had disgraced the name of Rome, arose that against Viriathus. If, as we read in an epitome of Livy,<sup>12</sup> he carried on the war against the Romans for fourteen years, we must suppose that he had acted a prominent part in the Lusitanian war. In the earlier part of his life he had been a common shepherd and a robber,—two characters which, in the south of Europe, are commonly united, and are so to this day in Italy. He had sworn to take vengeance on the Romans, and now roused his countrymen to revenge. He put himself at the head of a small band of his former comrades; for Spain, from the character of the nation, has always been the scene of guerilla warfare, for which the Spaniards are most adapted through the nature of their country and their own individuality; with them, lawful order goes for nothing, whereas a man's personal influence is all-powerful. Viriathus was regarded as the hero of the nation, and enjoyed unlimited confidence. He rarely ventured upon a pitched battle against the Romans; his method of carrying on the war consisted in lying in ambush, in cutting off supplies, evading the

enemy, and in quickly dispersing after a defeat. If I were to relate to you how he wore out the Roman armies, how he was present everywhere with his light cavalry, dispersed the Romans, and then conquered them one by one, and how many Roman generals he defeated—more than one of them lost his life,—the narrative would be attractive and interesting indeed, but my time does not permit me to do so. Suffice it to say that he maintained himself against the Romans for a period of eight years (605-612); the Romans met him with superior forces, but he always evaded them, and then suddenly appeared in their rear, surrounded them on impassable roads, took their baggage, and destroyed them in detail. In this manner he made himself master of the whole country, the inhabitants of the coasts of Andalusia and Valencia, who had always been the most unwarlike, alone being subject to the Romans, and fast becoming Latinised. There Viriathus appeared as an enemy; but the country with which he was peculiarly familiar, and which looked upon him as a friend, extended from Portugal through Estremadura, as far as Aragon: in this territory he moved about with extraordinary rapidity with his light cavalry and infantry, and the Romans rarely gained any advantage over him. In the end, they found themselves compelled to conclude a formal peace with him, in which they recognised him as *socius* and *amicus populi Romani aequissimo jure*, as if he had been a king *aequo jure*, with themselves. It was contrary to Roman principles to conclude such a peace, by which Viriathus and his people became quite sovereign. The peace was honestly meant on his part, but it was not kept by the Romans: it was violated the very next year. The proconsul, Q. Servilius Caepio,<sup>13</sup> like all the Roman generals of that time, was anxious only for a triumph and booty; he accordingly stirred up the war afresh, and was treacherously authorised by the senate to injure Viriathus wher-

<sup>10</sup> Appian, *De Reb. Hispan.* 59, 60.

<sup>11</sup> Suetonius, *Galba*, 3; Valer. Maxim. ix. 62; Cicero, *De Orat.* i. 53, *Brutus*, 20, *pro Murena*, 28; Pseudo-Ascon. *in Divinat.* p. 124; Livy, *Epit.* 49.

<sup>12</sup> Lib. 54 in fine.

<sup>13</sup> Appian, *l. c.* 69 and 70.

ever he could. The war thus recommenced while, nominally, negotiations were carried on. Some Lusitanian traitors offered to murder their own leader. They went into his tent, where, finding him asleep, they cut his throat, and before any one suspected his death, they returned to the Romans to receive their blood-money.<sup>14</sup> For the Lusitanians it only remained to bury him (612), and they did so with an enthusiasm which has become celebrated in history: the friends of the great man fought with one another on his tomb, until they fell. This self-sacrificing act of the friends of Viriathus forms a singular contrast to the general character of the Lusitanians, for we frequently meet with instances of the most malicious treachery, and we shall form a tolerably correct notion of them, if we compare them with the modern Spaniards, who still show the same character in many things. But although the modern as well as the ancient Spaniards—the Celtiberians must always be excepted—are distinguished for their love of money, still their treachery is oftener to be ascribed to their fearful party-spirit than to their avarice. The Spaniards seem to act on the principle that friendship is mortal, hatred immortal. They never become reconciled to those with whom they have once quarrelled; and this feature appears both in ancient and in modern times. Their mode of warfare is likewise the same as it was of old; for they have never fought a battle in the open field, except under the command of a Hamilcar or a Hannibal; and in modern times under a Gonsalvo de Cordova, who formed the Spanish line, or an Alba, under whom it was still excellent; but they are excellent in petty warfare, and in the defence of fortified places: in the lines they are good for nothing.<sup>15</sup> There are many other features besides which the modern Spaniards have in common with their ancient forefathers. Perperna could not maintain himself in

Spain against Pompey, nor could the successors of Viriathus against Caepio. Unless a general inspire the Spaniards with confidence in his own personal qualities, they have no confidence in themselves. The Lusitanians now carried on the war under several generals, but none of the successors of Viriathus was as great as he, none being able to command personal confidence. D. Junius Brutus Galliaicus concluded a peace with them, and they accepted the offer to settle in a district of Valencia as a kind of Roman colony, where they founded a town of the name of Valentia. In this very mild climate they soon lost their warlike spirit. It is remarkable to see with what facility this Brutus made conquests in the north-west of Spain and the north-east of Portugal; in modern times, too, those people have shewn little perseverance, except against the power of the Moors. He was the first Roman who advanced into the country of the Callaeci, across the river Minho.<sup>16</sup> This expedition was, it is true, merely transitory, but it left a deep impression; the permanent subjugation of those countries did not take place till a later period.

These conquests, which shed so great a lustre upon Rome, belong to the time in which the wars against the Celtiberians were carried on so unsuccessfully. The Celtiberians were divided into several small tribes, the more important of which were the Belli, Titthi, and Arevaci. We are not able to give a satisfactory account of the constitutions and condition of the people of Spain; but it is evident that the Celtiberians must have had a republican constitution, and were not governed by kings like the nations in southern Spain. But although the Celtiberians had a national constitution, still their important cities seem, like the towns of Greece, to have had an independent political existence. The Arevaci had two great towns, Termantia or Termostia, and Numantia. The Celtiberian wars began in the year 609, and ended in 619

<sup>14</sup> Appian, *l. c.* 74.

<sup>15</sup> Comp. above, p. 69, foll.

<sup>16</sup> Florus, ii. 17; Livy, *Epit.* 55.

or 620; if we consider the comparative insignificance of the people that held out in these wars, their long duration is almost inconceivable. At first most of the Celtiberians were in arms, but gradually one place after another fell off. Numantia was stronger than Termantia, although the number of its soldiers did not amount to more than 8000;<sup>17</sup> and in the course

<sup>17</sup> Appian, *l. c.* 76.

of the war even this number decreased, so that during the blockade only 4000 were left. It was situated in a very rough district, amidst rocks and mountain torrents, in the neighbourhood of the modern Soria. The longer this war lasted, the more formidable it became to the Romans. They twice concluded a peace, but broke through it each time, till at length Scipio Africanus was appointed once more to torture to death a brave people.

## LECTURE LXXXVIII.

WE are generally inclined to believe that the ancient Spaniards were barbarians, but if by this name we understand savages, they were certainly not barbarians. The Turdetani were civilised at a very early period;<sup>1</sup> they had an alphabet similar to that of the Libyans, and their coins are infinitely better than those of any European nation during the middle ages. We have also ancient inscriptions, of which however no rational interpretation has yet been given, and which can be explained only through the medium of the Basque language. With the exception of Baron Wilhelm von Humboldt, there is no one in our days who could throw any light upon the subject. Some persons pretend to find in the alphabet of the Turdetani a jargon of Greek; but this is an absurdity.

During its first years the war against Numantia was carried on by the Romans without any success. In the year 611 the consul Q. Pompeius, the son of Aulus,<sup>2</sup> obtained the command

in Spain. He was unfortunate in his undertakings; the Numantines even conquered his camp, and his position was so desperate, that he thought it advisable to offer peace. The Numantines, who wished for nothing else, accepted the offer; and in order that the peace might obtain the sanction of the Roman senate, they were requested nominally to submit to Rome, to pay a certain sum of money, to promise to serve in the Roman armies as auxiliaries, and to give hostages, who however were to be sent back afterwards.<sup>3</sup> All this they did. But this reasonable peace did not satisfy the Romans, as Pompeius had foreseen; it was annulled by the senate, or at least by the command of the senate, not observed by the successor of Pompeius, M. Popilius Laenas. The Numantines then sent ambassadors to Rome, appealing to the treaty of Pompeius, to which the officers of his army bore witness; but Pompeius employed every means to induce the senate to annul the treaty that he might not be made answerable for it, and the war was renewed with greater forces. A few years later the command was given to the consul, C. Hostilius Mancinus. This Mancinus has acquired, by his

<sup>1</sup> Strabo, iii. p. 139.

<sup>2</sup> He is so called to distinguish him from another of the same name. He was one of the ancestors of Pompey the Great, and was at the head of the aristocracy of his time, although he was the son of a musician. This fact itself is very characteristic. He was a man of talent, and acquired his wealth in a not very honourable manner; but after having once obtained great celebrity and having become rich, he was welcome to the faction of the aristocrats; whereas Tib. Sempronius

Gracchus, of a plebeian but truly ancient and noble family, was at the head of the people.—N.

<sup>3</sup> Appian, *l. c.* 79.

misfortune, great celebrity, and a kind of moral reputation, which, however, is very equivocal. The terrified Spaniards left Numantia to its fate, and Mancinus advanced as far as the *suburbana*, the gardens and cemeteries of the city. Being there repulsed in an engagement, the Numantines pursued him, and the Romans, who retreated in disorder, came into a district from which there was no egress, so that nothing was left, except either to sue for peace or to perish. But the Numantines having lost their confidence would not hear of peace, although the terms offered by Mancinus were very favourable. At that time Tib. Sempronius Gracchus was in the Roman camp as quaestor, and as the Numantines remembered the fair peace concluded by his father, and the recollection of his honourable conduct towards all the Celtiberians was so vivid with them, that his son was the only one whom they would trust, he was obliged to pledge his own honour before they could be persuaded to trust Mancinus.<sup>4</sup> The Numantines shewed a noble confidence and benevolence towards Gracchus; for having lost his account-books in the camp which had fallen into the hands of the enemy, he went through the midst of their army to Numantia, and the inhabitants, his former enemies, gladly returned to him his papers, though they might easily have retained him as a hostage. The Roman army of 20,000 men, independent of the allies, was dismissed without being disgraced, and Numantia stipulated only for its own independence and friendship with Rome. When afterwards this peace excited the displeasure of the senate, Mancinus acted the same part as Sp. Postumius had after the defeat of Caudium:<sup>5</sup> he advised the senate to deliver himself and his officers up to the enemy, to do penance for agreeing to the unauthorised peace which was thus to be annulled. The people sanctioned the

decree as far as Mancinus was concerned, but rejected the part relating to his officers, out of regard for Tib. Gracchus. Mancinus accordingly was delivered up; but the Numantines refused to accept him, and sent him back, that the curse of the perjury might fall upon those who had committed it.<sup>6</sup>

After this again a few years passed without any progress being made by the Romans; and it was obvious that there was no hope of bringing the war to a close, unless Scipio Africanus was made consul, as Appian says,<sup>7</sup> in spite of the laws. If this is not a false statement, we must confess that we do not know what laws are meant; for ten years having elapsed since his first consulship, he must by this time have attained the age prescribed for the consulship by the *leges annales*. There seems to be some misunderstanding in Appian,<sup>8</sup> unless a law existed absolutely forbidding the same person to be invested with the consulship twice. When Scipio set out to extirpate the small people of Numantia, he took with him many recruits, allies and volunteers from all parts of the world, Numidians as well as men from the far east. All offers of the Numantines were rejected. Scipio found the army in a state of great disorder; and it was not without difficulty that he succeeded in introducing a better discipline among his troops. They amounted to 60,000, and with them he marched against Numantia. The town was surrounded on three sides by the river Durius, and was therefore situated on an isthmus, which was strongly fortified. After having driven the Numantines into their town, which was only three miles in circumference, he surrounded it with a line of palisades, and a double rampart, as the Spartans had done at Plataeae. On these lines he established balistae, by means of which the Romans endeavoured to keep the despairing Numantines at a distance, it being their object to destroy them by hunger, and they there-

<sup>4</sup> Appian, *l. c.* 80. Comp. Plutarch, *Tib. Gracchus*, 5, foll.; Aurel. Victor, *De Vir. illustr.* 64.

<sup>5</sup> Compare vol. iii. p. 220, foll.

<sup>6</sup> Velleius Paterc. ii. 1.

<sup>7</sup> *l. c.* 84.

<sup>8</sup> Comp. Livy, *Epit.* 55.



fore took all possible precautions to prevent provisions being introduced into the town. For a time the Numantines received sacks of flour by the river Durius; but in order to render this impossible, Scipio threw into the river long beams, which were armed with saws and darts, and being fastened to the banks, they floated both above and below the town, which the rafts with provisions could thus no longer reach. How long this fearful blockade lasted we cannot say. All attempts of the Numantines to break through the Roman fortifications failed. On one occasion, however, some men succeeded in a bold undertaking, forcing their way to the distant town of Lutia, where they met with such admiration of their courage, that several hundred young men offered their assistance, and a general insurrection seemed on the point of breaking out. On this occasion Scipio acted in a manner of which we cannot think without a shudder, but which shews what kind of man he was. To follow the Numantines to Lutia was his duty, but he committed the atrocity of cutting off the hands of about four hundred young men who were brought before him as friends to the cause of the Numantines. After the Numantines had consumed all their provisions, after they had for some time been living upon the corpses of their enemies and their own friends, and had experienced all the horrors and miseries such as we have seen inflicted upon Missolonghi, they at length wished to surrender. Scipio demanded that they should lay down their arms and surrender at discretion. The Numantines then begged for a truce of three days to consider the proposal. This time they employed, especially the persons of the higher classes, in destroying their wives and children, that they might not fall into the hands of the Romans; and the slaughter which they made among themselves was so great, that on the third day only a small number came forth from the town, in such a condition that their faces shewed scarcely any traces of human features. Scipio

selected fifty for his triumph, who were afterwards probably beheaded, and the rest were sold as slaves;<sup>9</sup> but they are said to have been so infuriated that some made away with themselves, and others killed their masters, so that in a short time not a single Numantine was left. According to some authors all the Numantines had put an end to their lives before the Romans entered the city; but this statement is unhistorical.<sup>10</sup> Numantia vanished from the face of the earth, and was never rebuilt by the Romans. The day of punishment for the awful deed was not far distant.

Even before the fall of Numantia, a servile war had broken out in Sicily, the particulars of which belong, properly speaking, not to a history of Rome, but to that of Sicily. This insurrection had its origin in the decrease of the population of the island, where, in consequence of the numerous wars, famine and plagues had raged in the same degree as in Germany during the Thirty-years' War. Hardly twenty-four years had passed after the conclusion of the first Punic war, when the second broke out, and completed the devastation of Sicily. Its state of desolation was like that of Ireland after the peace of Limerick in the reign of William III. Many of the conquered places had been razed to the ground, and whole districts had become *ager publicus*, which were occupied by speculators, and formed into extensive estates. They were chiefly used as pasture land, just as in the time of Arcadius and Honorius, when, as we see from the Theodosian Code, Calabria, Lucania and Bruttium were almost entirely changed into vast pasture lands. The proprietors were partly Siceliots and partly Romans, who kept large flocks of cattle, and whose herdsmen formed gangs of robbers.<sup>11</sup> Im-

<sup>9</sup> Appian, *I. c.* 97, foll.

<sup>10</sup> Florus, ii. 28; Vegetius, iii. 10.

<sup>11</sup> The herdsmen in all parts of Italy are still a degenerate race of men. I have frequently spoken with great respect of the Italians as husbandmen, but I repeat that the herdsmen are degenerate. In the state of Naples, the ecclesiastical states and Tus-

mense numbers of slaves were kept on these estates,<sup>12</sup> thousands of them being often together on the same property. Formerly slaves had been rare, comparatively speaking; but, after the destruction of so many towns, we hear of vast multitudes of them, and they were sold in the markets for a mere trifle. Imagine the three Punic wars, the war in Syria about the inheritance of Antiochus Epiphanes, the numerous pirates along the whole coast of Cilicia, the ravages in Achaia, Macedonia, Africa, and Spain; and remember that, in poor countries, men were always carried away, and sold as slaves—and you will be able to form a tolerably correct estimate of the number of slaves.<sup>13</sup> The slaves in Sicily were treated very cruelly, being obliged to cultivate the fields in chains. Among them there were of course many able men from all countries, who deserved quite a different fate, and could not but be thirsting after the blood of their tyrants. A servile war thus broke out in Sicily; and we cannot wonder that a similar insurrection occurred at the same time in Greece. The cause was the same everywhere. Formerly agriculture had been carried on in Greece chiefly by freedmen, and it was not till now that it passed into the hands of slaves. The war lasted for upwards of three years; several Roman armies were completely defeated, and a consular army under Q. Rupilius was required to subdue the island in 620, for the slaves were masters of the strongest places, Enna and Tauromenium. Their leader was a Syrian of the name of Eunus, who like Jean François in St. Domingo, in 1791, assumed the diadem. The war was carried on with the same inhuman barbarities as are perpetrated in all servile wars, in

the West Indies or North America. The devastation of Sicily was completed by it; and thirty years later, the same circumstances produced the same effects. The detail is fearfully interesting, but, as I have already said, does not belong to Roman history.

During this time, Attalus Philometor of Pergamus, the son of Eumenes, had died, and with him the dynasty of Philetaerus had become extinct. The first princes of that family, which had been raised by the Romans, were, on the whole, clever men, and of a mild disposition, and the country flourished under them, although much may be said against their policy, if we take morality as our standard. But the last Attalus was a man of different character: his reign was tyrannical, and he himself was one of those contemptible miscreants whom we meet with only in the history of the East, where a little natural perversity is easily carried to the highest pitch, as in the case of Sultan Ibrahim. In the East, men sometimes take a delight in what is most unnatural and disgusting, and thus become true incarnations of a base and Satanic nature. Such a man was Attalus. The only art he occupied himself with, was that of cultivating poisonous plants; and what amused him most was, to get rid of his nearest kindred.<sup>14</sup> He died without issue, and left his whole kingdom to the Romans, who certainly would not easily have recognised any one else as his successor; for they looked upon his kingdom as their own property, which they had a right to dispose of, just as a master had the right of succession to the estate of his slave or his freedman who died without having made a will. The remarks of Florus,<sup>15</sup> therefore, on this affair are foolish. Rome thus acquired a new and extensively rich province, but possession of it was not obtained without bloodshed. There was a natural son of Eumenes, the predecessor of At-

cany, there are but few; when they are not robbers themselves, they are the comrades and spies of robbers.—N.

<sup>12</sup> Diodorus, xxxiv. *Eclog.* 2, p. 525, foll.

<sup>13</sup> It has been said that, in the slave-market of the island of Delos, 10,000 slaves were sold every day; but nothing can be more absurd than this; and, from the account given by Strabo (xiv. p. 668), it is clear that he only meant to say, that on one particular day 10,000 slaves were sold.—N.

<sup>14</sup> Diodorus, xxxiv. *Exc. de Virt. et Vit.* p. 601; Justin, xxxvi. 4.

<sup>15</sup> ii. 20.

talus, called Aristonicus, who claimed the kingdom of Attalus as his lawful inheritance. According to Eastern notions, such a man was not disqualified for succeeding to the throne, so that but for the will of Attalus he would have been the lawful heir. Soon after his brother's death, he took possession of the diadem without any difficulty, for the people of Pergamus dreaded the dominion of Rome, having become acquainted with the tyranny and robbery of the Roman praetors and proconsuls who annually appeared among them. Many towns declared for him, while others which had recently received their independence at the hands of the Romans, such as Ephesus, made preparations against him. As, however, there was no one in the world who could give him assistance, it is inconceivable how he could have the madness to believe that he would be able to hold out against the Romans, and how he found any support among the people of Pergamus. The neighbouring states of Cappadocia, Pontus and Bithynia were very small, and the last two utterly unwarlike; the Syrian kings too were near their end, and their whole attention was directed towards the East, where the Parthians were extending their power and had already conquered Babylon. Yet the war lasted much longer than had been anticipated. The effeminate inhabitants of the magnificent country of Lydia and Ionia carried on the war in some respects with great resolution; and, besides them, Aristonicus had many Thracian mercenaries in his army. On the part of the Romans the war was badly conducted, as their generals thought of nothing but enriching themselves, and turning everything into money, instead of making the proper use of their victories: they were, in fact, glad when a powerful and wealthy town revolted, because it afforded them an opportunity for plunder. The Romans had not only a consular army, but also troops from Bithynia and Pontus; notwithstanding which one Roman commander, P. Licinius Crassus Mucianus, was defeated and taken prisoner. This man

has a reputation in history, and yet he had shown such revolting avarice, that the Asiatics took vengeance by maltreating his dead body: so easily a person might then acquire the reputation of an honest man! He died however with courage, for he caused himself to be killed. The war was at length brought to an end by M. Perperna, and M'. Aquilius, who snatched the triumph out of the hands of Perperna. Aristonicus was taken prisoner at Stratonicea, and adorned the triumph at Rome.<sup>16</sup> The end of this, as well as of the Servile war, belongs to a later date than the year 619, which is the year of the tribuneship of Tib. Sempronius Gracchus. The reduction of Sicily falls in the year 620, and the defeat of Aristonicus in 622.<sup>17</sup>

The province of Asia was now regularly constituted, but within narrower limits. Rome behaved generously towards the native princes. The dominion of Nicomedes was extended, and Mithridates of Pontus obtained Magna Phrygia, though not till the tribuneship of C. Gracchus, who seems to have spoken against the measure, since this unnecessary giving up of a country had probably been effected by Mithridates, through a regular purchase from the Roman commissioners.

The constitutional changes of this period are for the most part unimportant, the distinction between patricians and plebeians having ceased. In the year 622, we find for the first time two plebeian censors.<sup>18</sup> The first time that both the consuls were plebeians, had been in the year 580, a fact recorded in the *Fasti*, where we

<sup>16</sup> Sallust, *Fragm. Hist.* lib. iv.; Vell. Paterc. ii. 4.

<sup>17</sup> The *Annales* of Zumpt deserve to be recommended, and, with the exception of a few inaccuracies, they are satisfactory. For the early periods of Greek history, however, the work is not always founded on careful investigation. — N. A new and improved edition was published at Berlin in 1833, under the title "*Annales veterum regnorum et populorum, imprimis Romanorum, confecti a C. T. Zumptio.*"

<sup>18</sup> Livy, *Epit.* 59.

read *ambo primum de plebe*.<sup>19</sup> It is strange that Livy does not mention it ; but circumstances had now so long been ripening, that no one thought of opposing the election of two plebeians. Dionysius says<sup>20</sup> that in his time there were no more than fifty patrician families left, which is not to be understood of gentes, but of families in the ordinary sense of the word ; so that, for example, the Scipios, Cethegi, and Lentuli were considered as three families. My belief is, that at the time when the consulship was in the hands of two plebeians, the number of patrician gentes, whose members were invested with public honours, did not amount to more than fifteen. But these gentes were not taken into account, since the curiae, in which alone their influence could be exerted, had lost their political importance long before, and their influence was only that of separate families. Thus, in the Aemilia gens, we have only the Lepidi, Paulli, and Scauri ; in the Cornelia gens, the families of the Scipios, Sullae, Lentuli, and Cethegi, etc. All the families of a gens, moreover, were not *nobiles*. Thus, the Claudia gens contained only one ; and the Valeria gens, only that of the Messalae : in short, the patricians formed a very trifling number. The noble plebeian families, on the other hand, were very numerous, and constantly increasing. A very great majority of the senators were plebeians ; and ever since the end of the Hannibalian war, most of the praetors had been plebeians ; among six praetors there was scarcely one patrician. Nor can this be regarded as anything extraordinary, for it was the natural consequence of circumstances. In the time of the Gracchi, we find patrician and plebeian families indiscriminately on both sides ; App. Claudius, belonging to a family which had formerly headed the patricians against the plebeians, was the father-in-law of Tib. Gracchus, agreed with him, and carried into effect the laws enacted by him ; whereas those who

were most furious against the Gracchi, and most interested in defeating their measures, were all plebeians, with the exception of Scipio Nasica. The feuds between the two orders had been transferred to the *novi homines* and the *nobiles*. It is only the unlearned, though often ingenious historians of the eighteenth century, and especially those of foreign countries (Frenchmen), that were mistaken on this point, believing that these *nobiles* were patricians, although the change had been known ever since the revival of letters. At Rome, nobody thought any longer of a distinction between patricians and plebeians. This may account for Livy not mentioning the change, since, in reality, the distinction had altogether ceased. But the number of patricians was then still sufficient for the censorship ; and hence forty years more passed before both censors were plebeians.

About this time, a change must also have taken place in the aedileship, which, until then, had been divided in such a manner, that it was held alternately, one year by patricians, and the other by plebeians ; for the patricians had been less jealous about this office on account of its costliness.

Various other changes besides must have occurred during this period ; they were not, indeed, of a legislative nature, but were manifested in the whole *habitus* of the Romans. Among these, I reckon the entire change in the character of the tribuneship. A tribune at this time was like a despot, with absolute power. A few years after the time of Gracchus, the tribune C. Atinius Labeo ordered the censor Q. Metellus to be thrown down the Tarpeian rock, because he had excluded him from the senate ; and it was only with difficulty that he was saved from the hands of this tyrant by another tribune, on whom his relations called for protection.<sup>21</sup> Such wild acts of tribunes, which are not unfrequent during this period, prove that the tribunes themselves no longer knew what they really were. The same

<sup>19</sup> Compare vol. iii. p. 70.

<sup>20</sup> Dionysius, i. 85. Comp. vol. i. p. 329.

<sup>21</sup> Livy, *Epit.* 59 ; Cicero, *pro Domo*, 47.



Atinius carried a law of great importance, that the tribunes of the people should be senators by virtue of their office, and that they should not be excluded from the senate on any other grounds than those on which other senators were excluded.<sup>22</sup> By this law,

the senate would have become an entirely democratic and elective assembly ; but, although Gellius supposes that this law remained in force, yet it cannot have been of long duration.

<sup>22</sup> Gellius, xiv. 8 ; Zonaras, vii. 15.

## LECTURE LXXXIX.

THERE was a time when the name of the Gracchi was branded with infamy, and when they were looked upon as notorious only for their arbitrary proceedings, and as the ringleaders of a tyrannical faction attempting to interfere with other persons' property, and another time, when they had a celebrity which they themselves would have detested ; but such opinions, as well as the old view of the agrarian laws, are now undermined ; and, although the intricate nature of the *ager publicus* may not be universally understood, yet, in Germany,<sup>1</sup> the correctness of the results of our historical investigations is generally recognised,<sup>2</sup> and I do not think that there is any one who still entertains the old opinion about the Gracchi.

Tib. Gracchus was the son of the elder Tib. Gracchus, who had concluded the peace with the Celtiberians, by Cornelia, the daughter of the elder Scipio, who was given to him in marriage, not by her father, as Livy states, but by her relatives after her father's death. Both were known to be the most virtuous beings in that corrupt age : the good old times continued in

them. Of twelve children three only survived, the two brothers, Tiberius and Caius, and a daughter who was married to the younger Scipio (*Paulli f.*) The sons were educated, under their mother's superintendence, by distinguished Greeks and a Campanian, C. Blossius, who had received a complete Greek education, and even wrote Greek poetry, for we now know that he composed comedies in the style of Rhinton<sup>3</sup>—a proof to what a degree Greek literature then flourished in Italy, as is in fact stated by Cicero. He was somewhat older than Tiberius, whose teacher and friend he was ; and a follower of the Stoic philosophy, which at that time was suited to the wants of all noble minds, and particularly to a nation like the Romans. As Tiberius, through the great favour of the people, advanced in his public career, having distinguished himself even at the taking of Carthage, where he and C. Fannius had been the first to scale the walls, he became quaestor, and in this capacity induced the Numantines to accept the peace of Mancinus. Its rejection by the senate exasperated him. It is unfortunate that the history of these times has come down to us only in hasty accounts at second or even third hand, especially by Appian and Plutarch ; the latter wrote the lives of the Gracchi with feeling, but in perfect

<sup>1</sup> With the exception, perhaps, of some obscure and isolated corner of Austria.—N.

<sup>2</sup> See vol. ii. p. 130, foll. Some Frenchmen still cling to their false prejudices : but in America my views have been adopted, as I see from a review of my *History of Rome* ; the author, a remarkable man, states that there was not a person in the world to whom the notion that the Gracchi did not attack private property was not perfectly new when it was first promulgated by me.—N.

<sup>3</sup> I know of no passage where this is mentioned. Does Niebuhr perhaps confound Blossius with Blaesus ? for the latter is known to have written plays in the style of Rhinton.

ignorance of the circumstances of the time, though the moral part of the account is beautiful. Both writers, however, often allow themselves to be misguided by the scandalous anecdotes of some now unknown author. Plutarch was thus led to believe that Tiberius' vanity had been offended by the rejection of the peace with Numantia; but in a mind like that of Tiberius we can surely find motives for exasperation in something very different. He had concluded the peace as an honest man, and to see it trodden underfoot in defiance of all good faith, must have irritated him against the rulers of the time. How a man of Gracchus' disposition must have felt it his duty to venture upon such dangerous political measures (*πολιτεύματα*), is best explained by the consideration of the servile war in Sicily; for there the real cancer in the general condition of the people manifested itself most clearly.

*Ager publicus*<sup>4</sup> was land conquered in war, and belonging to the republic. The use of it was given either to Romans, or to natives, or to others, on certain conditions, viz., on payment of the tenth of the produce of arable land and of the cattle, of a *scriptura* for the use of pasture land in proportion to the number of cattle. The Licinian law had ordained that no one should possess more than five hundred jugers of it.<sup>5</sup> The occupation of such public land could indeed be transmitted from father to son as an inheritance, and it could be sold or disposed of in other ways; but the occupant always remained a precarious tenant, or a tenant at will, whom the owner, that is the republic, had the right to turn out, whenever it was thought necessary to apply such land to other purposes. When a person possessed more than the law allowed, he was liable to punishment, and the surplus was to be confiscated.

The manner in which the Licinian law was observed, was such as might

have been expected under the circumstances. L. Postumius Megillus was punished for having employed the soldiers of a legion in the cultivation of an extensive tract of domain land;<sup>6</sup> and it is a well-known fact, that Licinius Stolo himself emancipated his son, that he might be able, in his name, to occupy a greater portion of public land than his own law permitted.<sup>7</sup> Everywhere persons possessed more than the legal amount, and the very fact that these lands were not property, but secured only by the *jus praetorium*, there being no jurisdiction in the districts where they lay, afforded to those who wished to enrich themselves, great powers to eject those who occupied small tracts of land. With us, in France, and in England, small pieces of land are worth much more than when united in large masses, but in the south, especially in Italy, large estates are far more valuable, so that there the number of small farms is continually diminishing, and all landed property becomes accumulated in a few hands. Down to the war with Pyrrhus, immense tracts of land had been acquired; and during the time of the Punic wars, the public domain was increased to an enormous extent. A great part of it was used for the foundation of colonies, or was assigned to the Roman allies; but, in this case also, the republic seems to have retained the ownership for itself. After the Hannibalian war, a number of colonies were founded, and extraordinary assignments were made to the veterans of Scipio only in Apulia, Samnium, and I believe also in Lucania;<sup>8</sup> since the time of C. Flaminius, nothing had ever been assigned *viritim* to all the plebeians, as had been done in ancient times.

A man who himself farms a piece of land which requires no capital can, of course, pay a much higher rent than a man who cannot farm it himself; for

<sup>6</sup> See vol. iii. p. 413.

<sup>7</sup> See vol. iii. p. 52.

<sup>8</sup> In Livy, xxxi. 4, Lucania is not mentioned.

<sup>4</sup> Comp. p. 152, foll., of these Lectures.

<sup>5</sup> Compare vol. iii. p. 13.

the latter requires labourers, whereas the former not only reaps the whole produce of the soil, but has not to pay any wages. I have a very accurate knowledge of the present system of agriculture in Italy, and am acquainted with large farmers, who have vast possessions, which they manage exceedingly well, but who are an abominable class of men, and must lead to the ruin of their country; although in some respects they have a title to praise, which is not sufficiently acknowledged. But I also know small independent peasants, the most respectable class of men in Italy,<sup>9</sup> and I very well remember one poor peasant of Tivoli, who was striving to recover his small estate from the hands of a usurer, and exerted all his powers to satisfy his noble pride in being an independent proprietor. On that occasion I saw very clearly the value of wages, and how important it is for a family to have a piece of land which they can cultivate themselves without the employment of labourers. In Italy, the money is in the hands of the few, the nobles; and, in unproductive seasons, the peasant is obliged to sell or pledge his piece of land. During the middle ages, the number of these small proprietors was very great, but at present it is greatly reduced, and is ever on the decrease. In my inquiries at Tivoli, I learned that formerly almost every citizen had his hide of land; but that, in times of war, many had been obliged to sell their property; so that, fifty years ago, the number of small landed proprietors was five times, and 400 years ago fifty times, greater than at present. I can assert this the more confidently, as I have my information from the old statistical documents of Tivoli itself, drawn up in the fifteenth century.<sup>10</sup> Sonnino<sup>11</sup> has 4000 inhabitants, but

the whole of its territory belongs to five or six individuals; the rest are beggars and robbers.

It was exactly such a state of things as this which presented itself to Tib. Sempronius Gracchus. While the number of Roman citizens was increased every year by Italian allies, who obtained the Roman franchise, and more especially by freedmen, who, on the whole, bore the stamp of slaves, the number of landed proprietors decreased. The numerous small estates of former times were no more. During the Hannibalian war everything had become altered; for where, for example, a poor peasant was the neighbour of a rich one, the former had been compelled, during those times of distress and epidemic disorders among the cattle, to borrow money from his neighbour, and not being able to give security, he had undoubtedly to pay a high rate of interest. Now the son of such a peasant was, perhaps, serving in the legions, and if the father happened to be attacked by illness, he was obliged to engage labourers. In this manner he was reduced more and more, and if in the end he was not able to pay the interest, he was compelled to give up his land to his neighbour. In this and various other ways many a small estate had passed into the hands of the rich.<sup>12</sup> Such a change of property increases in its progress like an avalanche. The Licinian law had enacted that, on every one hundred jugers of the domain land, a certain number of citizens should be employed as free labourers or cottagers, in order that it might be cultivated by freemen and not by slaves.<sup>13</sup> But this enactment had not been observed, and thousands of slaves were employed on account of their cheapness, just as in Portugal, from the sixteenth century down to the time of Pombal, negro slaves were employed for the same reason; whence mulattoes are also found there. It is not improbable that the first idea

<sup>9</sup> With these sentiments, and those which follow, compare a letter of Niebuhr, in *Lebensnachrichten über B. G. Niebuhr*, vol. ii. p. 398, foll. where a more detailed description of the state of the Italian peasantry is given.

<sup>10</sup> Compare *Lebensnachrichten über B. G. Niebuhr*, vol. ii. p. 404.

<sup>11</sup> This name has been put in here by conjecture, for all the MSS. notes have *Solino*, a place which I cannot find.

<sup>12</sup> Cato, *ap. Plin. Hist. Nat.* xviii. 6 and 7 Sallust, *Jugurth.* 41.

<sup>13</sup> See vol. iii. p. 16.

of reform occurred to Tib. Sempronius Gracchus, when on his march from Spain he passed through Etruria, on the extensive estates in which he saw far and wide no free labourers, but numbers of slaves in chains,<sup>14</sup> while the freeborn Romans were reduced to beggary.

The population of Rome was becoming more and more a true populace, while in the country the number of the poor was increasing to an awful extent. It was a state of things like that towards which, unfortunately, all Europe is at present hastening; but the difference is, that the Romans had it in their power to remove the evil. Few Romans reflected upon the causes out of which it had grown; but many must have known that the misery would never have reached that height, if the Licinian law had been observed, if men had been appointed to watch over its proper execution, and if the newly acquired lands had from time to time been distributed, or their occupation been rightly conducted. Every one, like the king in Goethe's play, wished for a different state of things, but no one had the courage or will to undertake the reform. After the second Punic war it would not have been very difficult to accomplish the object. In the midst of great political shocks and sufferings, there occur moments which must be seized, and in which the disease can be overcome; but that moment had been neglected at Rome, and was now irreparably lost. Seventy years had now elapsed from the time of the Hannibalian war, and every one who contemplated the condition of the republic must have felt like a person who is suddenly placed before a yawning abyss. C. Laelius is said to have intended to interfere and to help, but afterwards to have given up the idea as impracticable. Hence he is said to have received the surname *Sapiens*, either in mockery, it not being prudent (*sapiens*) to put one's hand into a wasp's nest, or to indicate his real wisdom.<sup>15</sup>

All the great Roman families were concerned in these things, for there were surely few illustrious families which were not in possession of portions of the public domain exceeding by far the lawful extent of 500 jugers, or which did not keep upon them more than the legal number of a hundred large and five hundred small cattle. To offend these families was unavoidable, if the Licinian law was to be strictly carried into effect. But the law was perfectly clear, and might have been enforced with the utmost strictness; and if this had been done according to the letter, no one could have raised any objection, any more than at present a farmer of domains, though his ancestors have been tenants for many years, can object to the government when, at the expiration of his term, he is told that he must leave his farm, that his holding the land alone is considered detrimental to the state, and that it must be parcelled out and distributed among other tenants. But there was, on the other hand, a kind of equity to be observed, and as the law had so long been in abeyance, it would not have been fair to abolish all at once the old abuse, and thereby to injure many interests. The possessors might say: "Even C. Flaminius did not apply his law to domain land already occupied, but only to newly-conquered land, and he thus tacitly acknowledged the right of possession. Moreover, having advanced money to the state in the Hannibalian war, we received in return assignments of the *ager publicus*, which has thereby become our property." Since that time nearly a hundred years had again elapsed, and those lands had consequently been in the possession of a family for the period of a hundred, and other lands even of 150 or 200 years; and where they had not continued in the same family, they had been bought of them by others who never thought that these lands would be taken from them. Many might have said that they had acquired them *bonâ fide*; many also had received them in a desolate condition after having been ravaged and laid waste in war, and had,

<sup>14</sup> Plutarch, *Tib. Gracch.* 8.

<sup>15</sup> *Ibid.*



at great cost, cultivated and changed them into fertile fields or olive plantations, which require a long time before they bear fruit; others had spent large sums in erecting extensive buildings on those lands. The question therefore naturally arose, whether all these things should be sacrificed by the occupants.

No one can be more spotless in his sentiments than Tib. Gracchus was; even those who long after, blinded by party spirit, censured his undertaking, such as Cicero, whose noble heart always gains the upper hand where he has acquired a correct view of a subject, give him this testimony; Cicero calls him *sanctissimus homo*. The statesmen of antiquity were not the poetical natures which they are generally believed to have been; they had to pay exactly the same regard to circumstances as those of modern times. Tib. Gracchus clearly saw, that if matters continued to go on without improvement, absolute ruin would be the consequence, and that Rome would sink into despotism. Had he demanded that the letter of the law should be complied with, he would have acted with perfect legality; but it would, nevertheless, have been in the highest degree unfair. He therefore formed a different plan. The bill he brought forward enacted that no one should occupy more than 500 jugers of the domain land, and 250 jugers for each of his sons, who was yet in *patria potestate*. This, however, must have been limited to two sons, as I conclude from the expression *nequis plus quam MILLE agri jugera haberet*.<sup>16</sup> He further wished to enact that the lands thus recovered by the state should not be allowed to be sold, in order to prevent the wealthy Romans from sooner or later acquiring them again. Therefore, far from wishing to interfere with property, he endeavoured to raise a mere *possessio* into real property, which no one should be allowed to touch. Buildings erected on land, which according to this law was to be

taken from the possessors, were to be valued, and the price to be given in money to the owner of the buildings. The only difficulty now remaining was this. Those who had purchased such lands and paid for them their actual value, lost their money. A man, for instance, who possessed 400 jugers, and bought 400 in addition with ready money, lost the value of 300 jugers. What should have been done in such a case? The state ought undoubtedly to have paid a moderate price for such lands, and then no one could have objected. And, indeed, this plan would not have involved any difficulties, for the number of those who possessed more than 1000 jugers cannot, after all, have been so very great, and certainly the vast public treasures could not have been applied in a better way. Five hundred jugers form a considerable estate (as much as seventy rubbii at present), and are even now considered in Italy a respectable property (I myself would not wish to have a larger one); in a fertile district, a person may derive from it a net income of 5000 crowns, if it is well cultivated by a good tenant. The *sentina rei publicae*, or the poor—who were a burden to the state, and a disgrace to the Roman people, for as they could not be excluded from the comitia, they sold their votes—might thus have been removed from the city, and made honest citizens, and in this manner the object of Gracchus would have been fully and completely attained. It is ever to be lamented that Gracchus did not adopt this course, which was absolutely necessary, whatever it might have cost the republic. Even this plan would undoubtedly have called forth vehement opposition on the part of the wealthy aristocrats, but certainly not that bitter exasperation which Gracchus had to encounter, and to which he fell a victim. There were many who felt how dangerous was the disease under which Rome was labouring; but most of them considered its condition perfectly hopeless, and thought that it was impossible to interfere without calling forth a host of other evils.

<sup>16</sup> Thus I emend the passage in Livy, *Epit.* 58.—N. Comp. Aurel. Victor, *De Vir. illustr.* 64; Appian, *De Bell. Civil.* i. 9; *Hist. of Rome*, vol. ii. p. 133, note 272.

Tib. Gracchus did not stop short here : he is said to have contemplated an extension of the Roman franchise ;<sup>17</sup> but the accounts we have of this, as of all the other parts of the undertaking of Gracchus, are so obscure and incomplete, that we cannot take this for certain. From his actions, we clearly see that he was aware of the fact, that the middle class of citizens had vanished almost entirely, and that in order to restore that class, it was necessary to grant to the Italian allies the full rights of citizenship. A wise plan ! This regeneration was quite in the spirit of the ancient laws : it aimed at reviving and extending the higher classes, just as of old the Licinian laws had given to the republic which was shrinking into an oligarchy, a new life, and commenced the second brilliant period in the history of Rome. There were in Italy thirty Latin colonies containing many citizens of great respectability, who could vote in the tribes of the Roman assemblies, and felt that their station was very nearly equal to that of the Romans. These Latins were in the position in which the plebeians had been about two hundred and fifty years before ; nay, there existed in those towns much more intellectual culture than at Rome. It was the object of Tib. Gracchus to admit these to the full Roman franchise, and there can be no doubt that he also intended to give the *suffragium* to any *municipia sine suffragio* which may yet have existed.

The party of Gracchus contained many of the most distinguished men, who were certainly as great losers by his law as the Scipios ; but they were nevertheless ready to support the noble cause. Even Appius Claudius, his father-in-law, who in most points shared the pride of his family, but in this respect resembled App. Claudius the Blind in his best moments ; P. Mucius Scaevola,<sup>18</sup> the great jurist, who was consul that year ;<sup>19</sup> P. Lici-

nus Crassus, the father-in-law of Caius Gracchus, and others, saw the necessity, and encouraged Tib. Gracchus, although they unquestionably occupied as much of the public domain as the opponents of Gracchus. It is difficult to describe the exasperation of the opposition party,<sup>20</sup> who violated even the laws of public decency ; for men of distinction and champions of the oligarchs no sooner perceived that their interests were attacked, than they displayed all the greediness and avarice which we usually see only in persons without any education : they had recourse to excesses such as are generally committed only by the lowest of the rabble. It is one of the most revolting sights, when such men are guilty of conduct by which they place themselves entirely on a level with the populace—and such was the conduct of those oligarchs. No one had hitherto shewn any disregard to Gracchus or his family ; he was the noblest among the young men of his time, and enjoyed among his countrymen the same degree of respect as among the barbarians. Every one acknowledged his virtues, and even those who had none themselves could not deny that he possessed virtues, or as they may have called them — follies. But all this was forgotten by his antagonists : they spoke of him as a rioter and a mutineer, who was actuated by the most abominable motives ; and a coalition was formed against him. P. Cornelius Scipio Nasica, — the grandson of him whom, in the Hannibalian war, the senate had called the best of the Romans, and the son of Scipio Nasica, who had likewise been called a pattern of a Roman, and had zealously exerted himself to preserve the manners of the olden times, who himself also was considered to be an honest man of the best kind, and in many

French and Italian historians who speak of a struggle between patricians and plebeians. —N.

<sup>20</sup> The whole opposition was confined to the senate, for the tribunes, with the exception of M. Octavius, and the assembly of the people, supported Gracchus. —N.

<sup>17</sup> Vellei. Patern. ii. 2.

<sup>18</sup> Plutarch, *Tib. Gracch.* 8 and 9 ; Cicero, *Academ.* i. 5.

<sup>19</sup> Both the consuls of that year were plebeians, which shews the absurdity of

respects may have deserved that title—now conspired with the infamous Q. Pompeius. But still we cannot conclude from this fact that he was a thorough miscreant: he was only a man who had become hardened and intractable in his oligarchical pretensions, who saw his enemy in the light in which his interest placed him, who hated him, and wished to hate him with justice. The senate no longer had the power which the patricians had formerly possessed against the plebeians; it did not possess the ancient veto of the curiae; for, according to the Hortensian law, the bill of Gracchus did not require the sanction of the senate, but as soon as the tribes had passed it, its execution could follow immediately. By a most strange anomaly, the tribunes could now be checked only by one another, the *veto* not existing where it was most necessary; the only means of crushing a bill was the tribunician *intercessio*. All, therefore, that the opponents of Gracchus could do was to incite his colleague, M. Octavius, against him.

In some Roman families we find

certain sentiments and opinions hereditary; and such opinions are more than mere political maxims. This is the case in all free countries, and is one of the talismans by which republican constitutions are preserved. A person born in a certain family, finds his political line of conduct, as it were, chalked out for him. Thus in England, every one knows to a certainty to what party a Russell belongs, just as the church in which we are born prescribes to us the views we have to adopt. There are also certain family characters, and all the Gracchi are distinguished for their mildness, their unaffected and sincere love of the oppressed, a feature which we can trace through three generations: we first find it in the Gracchus who was contemporary with the second Punic war, then in Gracchus, the censor, who married the daughter of the great Scipio, and lastly in his two unfortunate sons. To dwell on such characters as these is the more delightful, as they are seldom met with in Roman history: in our own days they seem to be quite extinct.

## LECTURE XC.

As there was no other way of preventing the agrarian bill of Tib. Gracchus being carried, than by inducing one of the college of tribunes to interpose his *veto*, the antagonists of Gracchus contrived to gain M. Octavius for that purpose. If the notion, that the tribunes originally belonged to a class of Romans different from the ruling party, is utterly groundless, it is still more so in regard to the times of which we are now speaking; nay, we may say, without any hesitation, that at this time the tribuneship was held almost exclusively by such men as belonged to consular families, and that a plebeian very seldom obtained the consulship without having previously been a tribune. Thus the tribunes were just as much persons of distinction, as those who were invested with the highest magistracies; and it was by no means an extraordinary case that a man like Gracchus was among the tribunes. All *novi homines* passed through the tribuneship, and any plebeian, who had the opportunity of being raised to this office, was assuredly very glad to obtain it. M. Octavius belonged to a distinguished family, though perhaps not one of the first; as he would himself have been a great loser by the law of his colleague, the opponents of Gracchus prevailed upon him to put his *veto* upon the bill. We cannot say anything against Octavius personally; he had previously been a friend of Gracchus, but now gave way

to party spirit. Gracchus offered to make good his loss out of his own property. But Octavius could not accept this offer without lowering himself. Gracchus then entreated and besought him to give up his opposition, but in vain. Octavius was bound by his word and obliged to act in the spirit of his faction,—the worst thing that a man can do in a party struggle. The question now was whether Gracchus should drop his bill which was calculated to save the nation, but was opposed by vice and avarice, merely because a man who had been his friend had sold his vote to a bad faction? or should he venture upon a step which, though contrary to the letter, was yet in the spirit of the constitution? He decided upon the latter course, and intimated to Octavius that unless he yielded, he himself would be obliged to proceed to extremes, and to propose to the people to deprive him of his office. This was indeed an irregularity, but Gracchus might have said in his own defence, that a tribune who was independent of the people was an abuse, and a still greater irregularity. Consuls had been deposed more than once; the people had surely the right to take away a commission from a man to whom they had given it; and it is an absurdity, if, in a republic, this right is not maintained. The tribunes had only the commission to bring proposals before the people, and surely a person who has received a commission may also be deprived of it. Gracchus was therefore in reality right, but as far as the forms were concerned, he overturned the constitution. Yet it was a case, as he might have said, in which necessity broke through all laws; and in order to act as far as possible with perfect justice, he offered that his own deposition should be put to the vote first. As Octavius persisted in his refusal, Gracchus, who saw that his object could not be attained in any other way, proceeded to carry his threat into effect. When seventeen tribes had already accepted the proposal, Gracchus again entreated Octavius either to desist from his opposition or to give up his

office; but as Octavius still persevered, the eighteenth tribe voted, and his tribuneship was gone. Octavius wishing to produce a disturbance, did not leave the rostra, until Gracchus ordered him to be dragged away by force, an act which made upon the spectators the odious impression which the senate and rulers desired. Gracchus had thus been driven by his opponents to an act of formal injustice, and those who had no feeling of right and wrong triumphed over him, as if he had really violated the laws of the constitution.

The agrarian law was now carried without opposition, and a permanent triumvirate was appointed, to see that the law was fairly carried into effect; it consisted of Tib. Gracchus, his brother Caius, and Appius Claudius. From the "*Somnium Scipionis*" we see that the *socii* and *Latini* joined P. Scipio, nay there are many statements which prove that they, like the senate, opposed the agrarian law. We can understand their reason for so doing only by combination; there are various ways of accounting for it, one of which is certainly the true one. Laws, unless it was expressly stated otherwise, did not affect the allies; this we know particularly in the case of the laws concerning usury. Now it is possible that the Licinian law had made no mention of the *socii* and *Latini*, and that, therefore, they, if they had the right of *possessio*, were not limited to the measure of 500 jugera. Wealthy persons may have acquired *latifundia* in distant parts by purchasing lands from the earlier Roman possessors; and such persons would now have been disturbed by the Sempronian law. This much is certain, that some share in the *ager publicus* had been granted to the *socii* and *Latini*; the Campanians, e. g. possessed an extensive *ager publicus*, which they can have obtained only as allies; and the Marsians had a share in the Apulian pasture lands. It is not probable indeed that Gracchus should have interfered with those possessions, but we cannot absolutely deny it. It is more likely, that, for the present, many places were left in possession of their *ager* on con-



dition of their paying the legal amount of rent, but without the Roman people restoring to them on that account their property taken from them in war. If the latter was now taken from them, it was indeed hard for them. That they received compensation, we know positively, from the case of Carthage. The allies, thus, had the same interests as the wealthy Romans. But however this may have been, the allies felt hurt, and this afforded to the rulers a fair pretext, behind which they concealed their avarice, for saying that they were defending the rights of the Roman subjects; pretending that they were obliged to protect the subjects irrespective of their own interests. This hypocrisy deceived even a clear-headed man like Cicero, who is in a singular perplexity about this and similar relations: in his heart he sides with the Gracchi, but through his acquired opinion he decides against them, though with evident embarrassment. He is excused by the circumstances under which he wrote the books "De Re Publica" and "De Legibus." The opposition of the Latins caused great difficulties to Gracchus, for by combining with the allies, the optimates were enabled to take their stand against the popular party. Thus the oligarchy gained its victory through the support of the allies whom it afterwards most disgracefully sacrificed, almost in the same manner as the Irish Roman Catholics were sacrificed at the time of the Union with England.

At this time, as early as the beginning of the year, Attalus died; the constitution of the province of Asia forms an episode in the tribuneship of Gracchus, in which he again showed himself as a profound statesman, and acquired great reputation. In the bequest of Attalus there were vast treasures, as is always the case with Eastern princes, who, however much they may squander, always amass more. These treasures were brought to Rome, and Gracchus is often blamed for having proposed that they should be divided among the Roman people. But there was no wrong in this. As

in the small cantons of Switzerland, every Roman citizen was a member of the sovereign body; the aerarium was ever increasing, the tributes yielding such an immense surplus of revenue, that the citizens had already been exempted from paying any direct taxes. Now as the great majority of citizens had sunk into the deepest misery, the distribution was quite justifiable, especially as lands were to be assigned to them, and they required money to purchase the necessary implements. The triumvirs for the distribution of the *ager* had first to ascertain which lands belonged to the republic, and which to private persons, for many had been sold, and many in the midst of a conquered country had been left to their former proprietors, so that the drawing up of an inventory was extremely difficult. The Romans had such registers as we have, registers of landed property, for the purpose of fixing the amount of taxation; but they were neglected, because Rome was the only seat of government, and there was scarcely any sub-delegation.

The time was now approaching when the tribunes for the next year were to be elected. The tribunes entered upon their office on the ninth of December, but for a long time past—we do not know when this custom began—the elections had taken place very early in the year, at the commencement of July, or at the end of June, the harvest time in Italy. The tribunes at that time always appeared in the senate, and took part in the discussions; and as Tib. Gracchus was there treated with the most vulgar and unbridled fury, it must have been evident to him, that if he should one day be without his sacred magistracy, he would be the victim of his opponents. He would, after the expiration of his tribuneship, still have been *triumvir agrorum dividendorum*, but he would not have been inviolable. He therefore offered himself, in accordance with the law, as a candidate for the tribuneship for the year following. This was the more agreeable to his enemies, as it was contrary to the existing custom. The custom may have arisen out of the

mere circumstance that, for a long period, no tribune had held his office for two successive years; but in early times the re-election of the same man is by no means uncommon. When the tribe which had the *praerogativa* had elected him, and the second had given its vote the same way, the opposition party declared the votes to be illegal, and demanded of the tribunes to stop the election. Q. Rubrius, the colleague of Gracchus, who presided at the election, hesitated, not knowing what to do; and Mummius, the successor of Octavius, offered to take the place of the president, while the other tribunes demanded that the presidency should be decided by lot. These disputes occupied the whole day, which passed away without anything being decided.<sup>1</sup> In the earliest times the plebes assembled in the Forum, but as early as the time of the Hannibalian war, they always voted in the area in front of the Capitoline temple. I have hitherto been unable to discover when this change was introduced. The votes, moreover, seem to have been given at this time *viva voce*, while formerly they had been given by means of tablets, a practice which was afterwards only restored by the *lex Cassia*, which therefore cannot be regarded as an innovation, as is usually done. Professor Wunder has clearly shown this. Let no one believe that it is possible to esteem Cicero more than I do; but I must nevertheless confess, that he has occasioned this and other errors respecting the constitution.

The events which occurred on that day convinced Tib. Gracchus that his life was in danger, and he went about among the people, like an accused criminal, with his only son, begging them to protect his and the child's life. It was his misfortune that the election took place at this season of the year, for the country people, who, at any other time, would have flocked to Rome by thousands to support and protect him, were now detained by their labours in the fields. The popu-

lation of the city was not only indifferent towards Gracchus, a great number of them having no interest whatever in the affair, but was under the most decided influence of the optimates. In this instance too we see how the constitution had become different from what it had been in former times, though not a single iota of the laws had been altered. When the territory of Rome did not extend farther than about fifty or sixty miles from the city, every one could come to Rome on extraordinary occasions, and the rustic tribes could be really represented by the *Romani rustici*; but after the assignments made by C. Flaminius some country-people lived at a great distance, as far as the Romagna, and it was impossible for them to come to the city to attend the assemblies. The constitution which had been originally framed for a city, thus became perverse and injurious.

The election was to be continued the next day, and the people assembled with a presentiment that blood would be shed. Tib. Gracchus himself was scarcely armed. The senate was assembled in the temple of Fides. When the people were assembled a tumult broke out, and the uproar became so violent that several benches were broken. The senate, which was in the neighbourhood, on hearing of the commotion among the people, declared it seditious, and Scipio Nasica called upon the consul Mucius Scaevola to employ force. The latter appears in a doubtful light. According to most accounts he seems to have been favourable to Gracchus, but according to others he opposed him; if we suppose that he was a man of a weak character, who feared his faction, we may account for the contradiction. Nasica saw that a bold stroke would decide the matter, and accordingly called upon the senators to follow him; and on stepping out of the temple, all declared Gracchus guilty of high treason. The people withdrew before these illustrious men, and the senators took possession of every thing that could be used as weapons. There seem to have been

<sup>1</sup> Appian, *De Bell. Civil.* i. 14.

scaffoldings all round the area (it is still customary in Italy to put up benches wherever there is anything to be seen), some of which broke down. A lie had been spread abroad that Tib. Gracchus had appeared with the diadem, to get himself proclaimed king. No one surely believed in this impudent calumny, except perhaps a few foolish senators, and those whose interest it was to assert it.<sup>2</sup> Some of the people, who had no leader, and no clear notion of what they wanted, dispersed. The senators took the pieces of the broken seats, and attacked the few unarmed men who still surrounded Tiberius, and who did not venture to raise their hands against the senators. Tiberius fled down the *centum gradus* towards the Velabrum. There he slipped, and a common man, or one of the senators, or of the colleagues of Gracchus—for many claimed the honour—was the first who struck him on the head with a piece of wood, and as he fell down stunned, the murder was completed. A number of his followers shared the same fate, and their corpses were thrown into the Tiber. The body of the great Gracchus himself was washed ashore, and left to rot in the fields. He was not yet full thirty years old when he died. Many more were taken prisoners as his accomplices. The real persecutions, however, were carried on in the year following, by the consul, P. Popillius Laenas, in a manner worthy of the Inquisition, or of an Alba. Thousands were consigned to prison with or without a judicial verdict, though this Popillius was descended from a man who, in the time of Licinius, had been one of the greatest champions of liberty.<sup>3</sup> The cruelties of this monster may be read in Plutarch's life of Tib. Gracchus. One man was killed by being thrown into a vessel containing snakes. It is sad to find that even Cicero considers this Laenas an honourable man. There is one anecdote which I cannot leave unnoticed, and which refers to an event that must have taken place either

then, or a few years before the consulship of Popillius Laenas, when the friends of Gracchus were summoned before an inquisitorial tribunal. The most intimate friends of Tib. Gracchus were not warriors or statesmen, but Greeks of cultivated minds, such as Diophanes of Mitylene and Blossius of Cuma. The latter was a Greek philosopher, for although the inhabitants of Cuma spoke the Oscan language, yet they were in reality Greeks. When he was summoned by the lictors to appear before the tribunal of the consuls, and was questioned about the connection between himself and Gracchus, he openly avowed that he was his intimate friend, and on being asked whether he had always obeyed his commands, Blossius answered in the affirmative, adding that Gracchus had never desired anything that was bad. At length he was asked, what he would have done if Gracchus had ordered him to set fire to the Capitol. Blossius replied: "Gracchus would never have given such a command; but if he had I should have obeyed it, for I am convinced that it would have been for the good of the people."<sup>4</sup> This answer of Blossius has been censured, but the fault was theirs who put such a captious question to him. He saw in Gracchus his own exalted self; and the word he spoke does not disgrace him, but those who wrenched it from him. Blossius escaped, but afterwards made away with himself, that he might not fall into the hands of the tyrants. The persecutions of Popillius Laenas cannot be characterised in any other way than by saying, that they were the most horrible murders: all whom he put to death were pure and innocent victims.

It is remarkable that, notwithstanding their victory, the ruling party did not abolish the triumvirate. In the place of Tib. Gracchus, M. Fulvius Flaccus was elected; but the activity of the triumvirs was limited, and nothing was done, for those who were called upon to produce the title deeds to their

<sup>2</sup> Plutarch, *Tib. Gracch.* 19.  
See vol. iii. p. 46, foll.

<sup>4</sup> Plutarch, *Tib. Gracch.* c. 20.

possessions, either did not appear, or did not give in their declarations. But when the first fury had passed away, and the oligarchs saw that they were playing a dangerous game, they allowed the laws of Gracchus to stand, and for the sake of appearances, they appointed the consul Tuditanus to settle the disputed points. But he, instead of deciding anything, led an army into the field, and the matter was deferred. Whether anything was actually done, cannot be decided. When Appius Claudius died, C. Papirius Carbo, a disciple of Gracchus, but, as usually happens in such circumstances, an unworthy one, was appointed in his stead. Carbo followed the footsteps of Gracchus, but with evil intentions. This is the misfortune of revolutions: the course of events carries away the good with the bad, if they take a part in them. A man of great distinction who had lived through all the terrors of the French revolution, but had kept his hands clean, once said to me: "You do not know what a recollection it is to have lived during a revolution: one begins the attack with the best, and in the end one finds oneself among knaves." Such times as the French revolution are no longer to be feared, and centuries may pass before a revolution breaks out in Europe.<sup>5</sup> But in such times, it cannot be said impressively enough, that circumstances are often such as to draw the most innocent persons into the current, without their being aware of there being anything dangerous in it. Circumstances are often so fearfully complicated, that only those who, with an iron determination, regard nothing and fear nothing,

are able to stand and see their way. In this manner honest men may continue to be the supporters of a government, which, without their knowing it, has already passed into the hands of knaves. We have now come to that period of Roman history, when the explanation of the mere forms of the constitution is no longer sufficient, but when the men themselves must be considered each by himself, each being a separate psychological problem. The spectacle which is presented to our eyes is that of men engaged in combat with one another for the spoils of the dead body of the state. Papirius Carbo was a man of great talent, a circumstance which often deceives us; but we must remember that a man may even be benevolent and affectionate, and may yet be in the power of the evil spirit. I have known persons who were all that is amiable and good, in times of peace, but who, under the influence of the demon of war, committed acts of which everybody would have thought them incapable. Carbo was a man of that character, so that the report of his having murdered Scipio is not at all incredible, although it may be false. Scipio may have died a natural death, for it is not unfrequent in southern countries that persons are said to have been poisoned, who are in reality carried off quite naturally by a sudden death, in an attack of putrid fever. But Scipio may yet have been murdered, for he had exasperated the people in the highest degree by conduct of which no one can approve.

Scipio was besieging Numantia when he received the news of the murder of his brother-in-law, and expressed his approval of it. When he returned to Rome, Carbo called upon him openly to express his opinion as to the justice of the death of Gracchus. Scipio gave an evasive answer, saying that it was just, if Gracchus actually intended to make himself king. This accusation was senseless, and Scipio drew upon himself general indignation. The oligarchs themselves were divided; those who had taken a part in the murder of Gracchus were not on that

<sup>5</sup> This feeling of security, and the firm conviction of Niebuhr that no state of Europe had to fear a revolution, are expressed in several of his letters published in the *Lebensnachrichten*. Hence his extraordinary surprise at the outbreak of the French revolution of July 1830. The writer of these lines very well recollects the day when the news of it reached Bonn. Niebuhr, who had read them just before entering the lecture room, spoke during the whole hour about nothing else but the circumstances which had caused the outbreak of that revolution.



account all friends of Scipio, but all stood in need of him; and it was flattering to his vanity to look upon himself as the protector of the Latins and allies. The death of Tiberius had by no means decided the question; it continued to be agitated with undiminished vehemence. Scipio intended to speak in the assembly against the carrying into effect of the Sempronian law, which was never abolished, as we see both from the original tables of the *lex Thoria* (A. U. 640—650), and from the few fragments of a later agrarian law. On the evening before the day on which he was to address the people, Scipio retired at an early hour to meditate upon his speech, but in the morning he was found dead in his bed. This sudden death excited a suspicion of murder; but strange to say, no investigation was instituted, although the ruling party must have had an interest in the inquiry. But it was perhaps feared lest the result of it might implicate that very party,<sup>6</sup> e. g. Q. Pompeius or Metellus. Some even went so far as to accuse Scipio's wife, Sempronia, the sister of Gracchus, of having poisoned her husband. But all accounts are against the suspicion that he was poisoned. His body was carried on an open bier, and marks of poison would have been seen; if he died an unnatural death, he must have been strangled.

The period from the death of Tib. Gracchus to the first tribuneship of C. Sempronius Gracchus, is marked by several attempts of both parties; for the question about the new distribution of lands could no longer be suppressed. Unfortunately the particulars are not recorded. It is a great pity that the sixth decad of Livy is lost. We know that even a tribune, M. Junius Pennus, made an enactment quite in the spirit of the oligarchy that the civic franchise should not be given to the Italian allies,

but that they might retain their lands.<sup>7</sup> As however a wish for the franchise had once arisen among them, it could no longer be refused. In many towns of the Marsians, Samnites, and other nations of Italy, there were large, wealthy, and very illustrious families, whose morals were uncorrupted, or at all events superior to those of the Romans, and who, on their incorporation with Rome, would very soon have been superior to the Roman nobles: and yet they were excluded from the franchise, and not even tolerated in the city. A discontent spread among the allies, like that which we have seen produced in Ireland on the Catholic emancipation question. When they saw themselves deceived in every way, they entered into a conspiracy, which however is buried in obscurity. Even in the tribuneship of Tib. Gracchus, the subject had been discussed whether the franchise should not be given to the Latins, that is, to those Latin colonies which had not received it in 417,<sup>8</sup> especially Tibur and Praeneste, and perhaps also to the Hernican towns, but more especially to the colonies. These colonies consisted of Roman citizens and Italians of every description, who lived according to the Latin law, and had the first claim to the Roman franchise. Tib. Gracchus is indeed said to have thought of proposing a law to satisfy their wishes, but he probably deferred or never carried out this intention. They then supported the senate against him, and now demanded the rights of Roman citizens as their reward. We have unfortunately merely a few traces of the particular circumstances of that time, and can hardly conceive how Fregellae, the most flourishing of the colonies, could be so mad as to think of compelling the Romans by force to grant its request. We find Fregellae in arms, but the other Latin towns took no part in the struggle, the colonies, being scattered all over the country. The real Italian allies, who stood one

<sup>6</sup> In Plutarch, *C. Gracch.* 10, however, we read—*ἐπιστάσαν γὰρ εἰ πολλοὶ καὶ κατέλυσαν τὴν κρίσιν ὑπὲρ τοῦ Γαίου φοβηθέντες, μὴ ποιητὴς τῇ αἰτίᾳ τοῦ φόνου ζητωμένον γίνηται*, which can hardly be referred to C. Gracchus.

<sup>7</sup> Cicero, *De Officiis*, iii. 11; compare Appian, *De Bell. Civil.* i. 21.

<sup>8</sup> See vol. iii. p. 140, foll.

degree lower, may have been malicious enough to rejoice at the inconsiderate conduct of Fregellae, for they did not always like to see the Latins acquiring such privileges, and the nature of their demands was quite different. Fregellae, which thus stood alone, was besieged, taken and destroyed by the praetor L.

Opimius, so that not a trace of it is left, and heavy vengeance was taken on its inhabitants.<sup>9</sup>

<sup>9</sup> Livy, *Epit.* 60; Plutarch, *C. Gracch.* 3; Vell. Paterc. ii. 6; Aurel. Vict. *De Vir. illustr.* 64; Asconius, *ad Pison.* p. 17, ed. Orelli.

## LECTURE XCI.

IT is a well attested fact, that in point of talent Tiberius Gracchus was excelled by his brother Caius, who was essentially different from him. The comparison in Plutarch between Agis and Cleomenes and the two brothers is very happy. We have, properly speaking, no specimen of the oratory of Tiberius; but of the speeches of Caius there are extant several fragments, which perfectly justify the praise bestowed on them by Cicero,<sup>1</sup> who could not be mistaken on this point, and who declares that he was the first who, in an old literature, appeared with a new language; just as in French literature, Corneille forms the transition from the old fashioned to the classical style. But still the language of C. Gracchus was no doubt much more old-fashioned than that of Cicero, or that of Sisenna; it bore however the character of a more modern age, being free from the stiffness and harshness of the earlier language. He was the first cultivated, polished, and elegant writer among the Romans. Scipio and Laelius were still surprisingly rough and harsh, and Tiberius perhaps even more so than Cato, as we now see from a hitherto unknown fragment<sup>2</sup> of a speech of Laelius, in an unpublished commentary on Cicero, discovered by Mai. It is further probable that Caius was more of a statesman

than his brother; at any rate he displayed his talents more, the cause of which may have been the circumstance that his public activity lasted longer; for while the career of Tiberius did not extend beyond a period of seven months, Caius took an active part in public affairs for two years previously to his tribuneship, during the two years of his tribuneship, and also for six months after it. The statement that Caius owed his education and the development of his individuality chiefly to his excellent mother deserves full credit.<sup>3</sup> In the filial relation of the Gracchi to their mother, we see another trace of the humanity of their family; for this filial attachment is a trait rarely to be found among the Romans of this, or of any other period of their history. Amiable domestic relations are extremely rare among the Romans, though we have a few instances of them in the case of Horace and his father, and in that of Tacitus and Agricola, although Tacitus was unhappy in his own family.

Caius was driven by a sort of fatality into a path where certain destruction awaited him. Broken-hearted and deprived of all hope by the death of his brother, he was anxious to keep aloof from the high offices of state; he was, it is true, triumvir, but this could not be avoided, and he wished to act merely where he could do so without shaking or upsetting the actual state of things; but an inner voice did not

<sup>1</sup> *Brutus*, 32.

<sup>2</sup> That commentary is now printed in *Auctores Classici e Vaticanis Codd. editi*, cura A. Mai, vol. ii. Rome, 1828. (Scholia Bobiens. in *Cic. Milon.* c. 7, in Orelli's Cicero, vol. v. 2, p. 283.)

<sup>3</sup> Cicero, *Brutus*, 27.

allow him to follow his own inclination, although he plainly saw destruction before him. The eyes of his own countrymen, as well as those of foreigners, were fixed upon him from an early period. He had served for twelve years, and his unassuming behaviour when he was quaestor in Sardinia, and various actions which were anything but calculated to produce this effect, attracted the attention of the people towards him: for the young man who shewed the most perfect disinterestedness, was a silent reproach and an object of hatred to all. As the soldiers were deficient in warm clothing, and the senate, from avarice, refused to give the necessary money, Caius did not rest until he had collected in the province and elsewhere, the means of furnishing the men with warm cloaks. He also induced Micipsa, king of Numidia, to send over a cargo of corn. All this excited jealousy and hatred; and the senate endeavoured to keep him in Sardinia, the climate of which was even then so unhealthy, that hopes were entertained that he would fall a victim to it. According to law, he was not obliged to remain there longer than one year; but the senate endeavoured to put off his election to the tribuneship, just as Charles I. refused to convoke parliament. But in these and similar cases, those who are in the possession of power only render things worse by their attempts to check the course of events. C. Gracchus, who had been three years in Sardinia, returned to Rome without asking for leave of absence. When he was brought to trial for this step, he was acquitted, as it was too manifest that it was only by intrigues that he had been kept at a distance. His defence of his conduct made such an impression, that not only the tribunes took him under their protection, but he was elected tribune for the following year, and that too under more favourable auspices than his brother; for among the extensions of the tribunician power, which a guilty conscience had induced the senate to sanction after the death of Tiberius,

a plebiscitum had been passed, enabling a tribune who wished to carry a bill, to be re-elected for a second year. In the year 629, C. Gracchus entered upon his tribuneship. He was honest and pure like Tiberius; but passionate, superior to him in power, and more definitely conscious of what he wanted. In regard to the possession of the *ager publicus*, he had indeed, in the first instance, only to carry into effect the law of his brother, but he contemplated much more extensive reforms; for being tribune, he had as much legitimate power as the senate, and accordingly he did not come forward as a revolutionist. But was there any possibility of success? This was the question. In his own mind he was convinced that the matter might succeed: it is to be lamented that we do not know his entire plan, and that the most important points have come down to us in an extremely corrupt form. His legislation consisted of a number of single laws concerning the most different branches of the government and administration of the state. What we know of them is enough to shew how little he was of a demagogue; they contain apparently the greatest contradictions, which vanish, however, when we have gained the right point from which to view them; there we perceive that he would not give himself up to any faction, but rather availed himself of the factions for the purpose of carrying his salutary reforms, offering to this party one advantage, to that, another, while he himself stood intact.

His first step naturally was to avenge the death of his brother and his friends. Nasica had gone with a commission to Asia, whence he never returned; but many others of his party were yet at Rome, and against these Caius directed his operations. He brought forward two bills: one enacting that those who had been deprived of an office by the people, should not be allowed to be candidates for any other: the second, that any magistrate should be liable to a capital charge, who had put to death a citizen without a formal sentence

having been passed upon him.<sup>4</sup> The first of these bills was evidently aimed at Octavius, but C. Gracchus withdrew it at the request of his mother. The second, which was mainly directed against Popillius Laenas, was carried. But Laenas of his own accord quitted Italy.<sup>5</sup> These two laws were the *inferiæ* on the tomb of his brother; but he did not stop here. The execution of the agrarian law had been decreed, and although things went on slowly, yet some progress was made, and Caius remained triumvir.

His subsequent legislation embraced every branch of the administration, and is of the most varied nature.<sup>6</sup> Those who infer from his legislation that he was a demagogue, are greatly mistaken: the laws themselves contradict such a view. The measure against which most has been said is that which ordered that corn should be distributed among the poor inhabitants of the city; that is, that the *modius* of corn should be sold to them at the low price of three-fourths of an as, this being the fourth part of the usual price.<sup>7</sup> This was by no means a bribe, but an act of kindness to the poor who stood in need of it. In order to understand this law, we must remember that Rome received immense supplies of corn, and that its treasury was so well filled, that it was unnecessary to change the corn into money. At the time of the Social war, the treasury contained about sixty millions sterling. The best use that could be made of it was to benefit the people, that is, the sovereign, to which in reality it belonged, and a vast number of whom were as poor as the poor in our own days. What should such a population of free men do? Were they to beg? or should the state support them? The idea of the dignity of every individual belonging to a free

state lies at the bottom of many things which occur in a republic: it is the duty of a republic to take care of its members, even of the most insignificant, and this is to a certain degree the case with the poor's rates in England. In a despotic state this idea has no meaning; but with a free and proud nation, it is a duty to provide for those members of the community who are unable to provide for themselves. The number of real paupers at Rome must have been immense. Many of them were not included in any tribe; others, such as the descendants of freedmen, belonged to the *tribus urbanae*;—and were these people to be allowed to starve? Both the Gracchi entertained the idea of turning as many of them as possible into industrious husbandmen; but this was not practicable in every instance, for many had no claims to portions of the public land, as the distribution of lands may have been made according to tribes. If, in our days, a part of the revenue of a capital town were set apart to pamper the poor, it would indeed be culpable, although capitals are in most cases more favoured in this respect than other towns. But C. Gracchus had no intention of giving away the corn for nothing; he only gave it at so low a price that, with some labour, the poor might be enabled to support themselves and their children. As he was a zealous, active, and creative man, he built large corn-magazines, the ruins of which were distinctly seen at Rome down to the sixteenth century, between the Quay, the Aventine, and the Monte Testaccio; but no trace is now to be seen of those *horrea populi Romani*. I believe that it is from this time that we have to date the distinction between the *plebs urbana* and the thirty-five tribes. The chief elements of that plebs consisted of free Roman citizens of the lower orders.

Another law of C. Gracchus was proposed with the object of making the service in the armies easier.<sup>8</sup> The soldiers had formerly been obliged to provide themselves with the necessary weapons, and a part of their pay was

<sup>4</sup> Plutarch, *C. Gracchus*, 4; Cicero, *pro Rabirio*, 4.

<sup>5</sup> We possess a beautiful fragment of the speech in which Gracchus brought forward this bill against Laenas; it is the beginning of the speech, and is censured by Gellius (xi. 13,) in a pedantic manner.—N.

<sup>6</sup> Plutarch, *l. c.* 5.

<sup>7</sup> Livy, *Epit.* 60; Appian, *De Bell. Civil.* i. 21; Cicero, *pro Sextio*, 25.

<sup>8</sup> Plutarch, *l. c.* 5.



deducted, to defray the expenses of repairs and improvements. The republic was now so rich, and the treasury so well filled, that it was by no means a great sacrifice to provide the soldiers with clothes and arms from the public treasury. This law accordingly was carried by C. Gracchus. He also made new roads through Italy, improved those which existed already, and brought their construction to a degree of perfection which it had never before attained.<sup>9</sup> He gave a new impulse to the paving of streets, and it seems probable that it was owing to him that the great Roman high-roads acquired that excellence which we still admire in them; for he ordered them to be paved with basalt, which had hitherto been employed only in a small portion of the via Appia. These works gave employment to the poor, who thus obtained the means of living.

All these measures were of an administrative nature, but he now proceeded to measures relative to the constitution. The senate, at that time, had the management of one of the most important branches of the administration, without being subject to any control. Even Polybius observes, that the great power of the senate in so democratic a republic, arose from two causes; first, from the fact that the finances were in its exclusive power, in consequence of which many were dependent on it in regard to their fortunes. All the revenues of the state, arising from tolls, mines, tithes, etc., were given to companies of rich persons to farm, and these again employed in their business persons of the lower or even lowest orders, who consequently were all dependent on the senate, which possessed the supreme management. We must not, indeed, imagine that every one thus employed, derived his income, as with us, from a public office; but in point of fact the result was the same, the state providing for a large number of its subjects. Hence Romans multiplied immensely in the provinces as

*negotiatores*, and became the vampires of those countries. This was the first circumstance by means of which the small number of senators could maintain itself so safely. The second was the fact, that all those persons necessarily had their supporters in the senate itself, and that the judges in almost all important cases were senators, viz., in all those which did not affect real *quiritarian* property. It is a false through widely spread opinion, that there existed in ancient Rome a sort of trial by jury; but the fact is that such an institution did not exist till after the time of the Gracchian legislation. A case of *delictum manifestum*, in the early times, required no trial among the Romans; it was only necessary to establish the identity of the person, and the praetor at once applied the law. In other cases, both criminal and those civil ones which did not belong to the forum of the *centumviri*, the sentence of a single *arbiter* was required to enable the praetor to pronounce a final verdict. The complaint was brought before the praetor, who after thirty days appointed a *judex*; the latter proceeded according to certain forms; and from his verdict there was no appeal, for the ancient appeal to the people had been abolished, and it probably had never existed except in *judicia publica*. Ever since the beginning of the seventh century a number of lawsuits, for which special quaestors had formerly been appointed to bring the cases before the popular courts, had been referred to ordinary court-days, especially the *actiones repetundarum*, that is, the charges brought by unfortunate provincials against their governors; for such cases, however, several *judices* were appointed; but whether there was only one or more, they were always senators, and this was a powerful means of strengthening the authority of the senate. These judges, however, were in the same predicament as those on whom they had to pass sentence. This was a source of corruption, and the most scandalous verdicts were pronounced, the judges making, in fact, a very lucrative traffic of their

<sup>9</sup> Plutarch, *l. c.* 7; Appian, *De Bell. Civil.* i. 23.

office, for a senator when appointed *judex* by lot, allowed himself to be bribed in the most disgraceful manner. No one denied this, and no one was ashamed of it; those who were not venal, were very few, and often acted only from prudent calculation. The power of bringing a charge against a governor was in truth much more detrimental to the provincials than beneficial, for the governors now not only endeavoured to enrich themselves, but had to spend large sums to bribe the judges, who again had no object in view except to enrich themselves. All feelings of honour had vanished; <sup>10</sup> the senators only asked, "How many thousands will you give to obtain your acquittal?" It was evident that under such circumstances the state was hastening towards its downfall. A change had become necessary, and considering the facts of the case, that of Gracchus was no doubt the best, although it was actually followed by evil consequences. C. Gracchus, who knew very well that it must be a hard winter indeed before one wolf will seize upon another, turned his attention to the *equites*,—the order which now constituted, in some measure, a middle class between the senators and the lower people, although some of them possessed immense riches; consisting of citizens possessing more than 100,000 *denarii* (400,000 *sesterces*). Things had reached that point which we now see in France, where no standard of distinction exists except that of wealth. C. Gracchus saw in the *equites* a desirable equipoise to the senators. From what are called the people he expected nothing at all; for he well knew that they were no longer worth anything, and that to some extent they consisted of a popu-

lace just as corrupt as the Neapolitan *lazaroni*. C. Gracchus therefore sought a remedy in that portion of the population which consisted of the rich and wealthy, who had no interest in screening the sins of the rulers; he could, in fact, do nothing else. By the *lex Sempronia judiciaria* he composed the *judicia* of 300 *equites*, who were now to be the only judges, instead of the 300 members of the senate. There are, it is true, three different opinions on this point, but after the investigations of Manutius it can no longer be doubted that these 300 *equites* were to be the only *judices* from among whom in each particular case the single *judices* were taken by lot. At first this arrangement was very beneficial, for the new *judices* had no such extensive family connections as the noble senators; but on the other hand they were not fair judges for the provincials. The Roman farming companies, generally consisting of *equites*, had been guilty of acts of glaring injustice in the provinces, which were tormented by the governors also. The oppression of the latter now ceased; but the governors who wished to come to an understanding with the farmers of the revenue, might buy them over by allowing them to go beyond their contracts, and *c. g.*; to take one-fifth instead of one-tenth as tribute. If this was agreed upon, the *equites*, in their turn, secured impunity to the governors in case of actions for extortion being brought against them. This was an enormous abuse, but produced by circumstances; the condition of Rome and Italy, however, and in short of all parts of the empire in which the companies of farmers had nothing to do, was improved by the change.

This was like a clap of thunder upon the senators.<sup>11</sup> After an independent body of judges had thus been formed, Caius Gracchus substituted a committee of them in the place of the worthless popular courts, which thenceforward were called together only on

<sup>10</sup> A striking analogy to this state of things is exhibited at Naples. Prince Canosa, a Neapolitan minister, a very eccentric but talented man, once said to me, that at Naples a man might have as many false witnesses as he could wish, at the rate of a carolina (about sixpence) a-piece. When afterwards I asked a distinguished Neapolitan, whether this assertion was not unjust, he said that if a man would carry on this traffic on a large scale, he might obtain any number of false witnesses at a still lower price.—N.

<sup>11</sup> Appian, *De Bell. Civil.* i. 22; Vell. Paterc. ii. 6; Tacitus, *Annales*, xii. 60. Compare Livy, *Epit.* 60; Plutarch, *C. Gracch.* 5.

rare occasions by way of exception ; and extraordinary inquisitions ceased altogether. This law was in reality an encroachment upon the democracy, and in truth a very necessary one, for C. Gracchus knew the people, and saw what a wretched class of men they were.

In order to introduce some better blood into the thirty-five tribes, he proposed to bestow the Roman franchise upon the Latins, who consisted of the original Latin towns and upwards of forty colonies. They had been in existence for 300 years, and during the last two centuries they had become completely amalgamated with Rome in language and manners, and Gracchus probably intended to form them into new tribes. The other Italian allies, from the Marca Ancona down to Lucania in the south, nay all Italian places as far as the Alps, were to step into the relation in which the Latins had hitherto been,<sup>12</sup> that is, they were to have the right of voting in the assemblies, and thus to be prepared to become full citizens in about thirty or forty years. It may be that something was actually carried into effect, but we do not know what. The plan itself was so wise and useful that all intelligent Romans, who did not wish to see either the aristocrats or the democrats gain the upper hand, must have been rejoiced at it. In many Latin towns there were families of distinction, which would have settled at Rome, as in the time of Augustus the Asinii (who were Marrucinians), Munatii, and others did. Cicero expressly states<sup>13</sup> that, previously to the Social war, Greek science and literature were more cultivated among the Latins than among the Romans. Therefore, instead of increasing the Roman people by freed-men and a low populace, C. Gracchus intended to add numbers of wealthy and well-educated Latins. I do not know of any wiser or more praiseworthy plan than this.

Many of his laws concerning the

administration are either not known at all or known merely from slight allusions, but all those of which we have any knowledge are excellent. Ten years had passed away since Attalus had bequeathed his kingdom to the Roman people, and seven since Aristonicus had been conquered ; but the affairs of Asia had not yet been settled, and the governors availed themselves of this neglect for the purpose of satisfying their avarice by plunder. C. Gracchus at length carried a law by which the province of Asia was regulated : this law is admitted, even by Cicero, to have been a model of wisdom.<sup>14</sup> Especial care was taken to arrange the farming of the public revenue in such a manner that the interest of the state was perfectly secured.

While C. Gracchus assigned lands to the people, and endeavoured to turn as many of them as possible into honest peasants, he did not by any means sacrifice the interests of the republic ; for the tithes which the state had hitherto received from those lands were not abolished (according to a passage in Plutarch, which would otherwise have no meaning), so that the republic lost nothing. It was evident to him that Rome could be saved only by returning to her own principles, and he therefore imitated the ancient Romans who had renovated and, as it were, refreshed the people, by extending the franchise. He opened good prospects for the Italians who were to succeed to the privileges of the Latins, for he undoubtedly hoped that a peaceful development of the principle would lead to further and still more beneficial reforms. He even made proposals to change the manner of voting, by which the republic would not have consisted of the city alone, but would have comprised all Italy.

The senate had hitherto distributed the provinces at discretion, which had

<sup>12</sup> Appian, *I. c.* 23 ; compare Vell. Paterc. ii. 6 ; Plutarch, *C. Gracch.* 5.

<sup>13</sup> *Pro Archia poeta*, 3.

<sup>14</sup> *In Verrem*, iii. 6. This is, as far as I know, the only passage in which Cicero speaks of this law, but he there says nothing in praise of it.

given rise to the most detestable system of bribery. The elections of magistrates took place at this time long before the close of the year, and the new consuls and praetors referred to the senate *de provinciis*, each applying for himself and trying to obtain that from which he hoped to amass most wealth; and the senate, on personal grounds, decided what commissions were to be given to the consuls or praetors. C. Gracchus now made the wise law, enacting that before the elections took place the senate should decide which provinces were to be given to the consuls or praetors,<sup>15</sup> so that the persons to whom they were to be given were as yet unknown; the division of the provinces was then made by lot, and only in a few instances by the senate, so that all favouritism was at an end. This law removed at once some of the most glaring abuses in the administration. There can be no doubt that it was Gracchus who enacted that the elections should take place so early in the year, in order that the year might not expire before the curule chairs were filled anew. This is one of the essential and permanent improvements effected by Gracchus; for we find it in force even seventy years after his death.

C. Gracchus passed his laws in the years 629 and 630, in both of which he was tribune. His tribuneship was less stormy than that of his brother, and his powers were much more extensive and undisputed. He caused himself and his friend M. Fulvius Flaccus, and probably also Q. Rubrius, to be appointed triumvirs for the purpose of founding new colonies,<sup>16</sup> for he was a man of restless activity, extending over all departments of the state; and this he was enabled to do by virtue of his tribunician power. He also founded a colony near the site of ancient Carthage, which provoked the hypocritical zealots, who said that that colony would one day be dangerous to Rome,

—a most senseless thought, though some were foolish enough seriously to entertain it. This opportunity was very welcome to his enemies, and while he was thus quietly proceeding in founding several colonies, in which the Latins and Italianes were allowed to take part, the jealousy and exasperation of the aristocrats rose to the highest pitch, and the senate had recourse to a peculiar kind of stratagem. M. Livius Drusus, one of the colleagues of C. Gracchus, was prevailed upon to try to undermine his popularity. Here we have an instance in which it is clearly seen that the constitution of Rome was suited more for a city than for a whole nation. Livius endeavoured to outbid C. Gracchus in conferring benefits upon the people; he acted in the name of the senate and succeeded; for the masses never take the trouble to consider who the man is that offers them advantages; and in this instance they were unable to recognise in the actions of C. Gracchus the purity and sincerity of his intentions. The majority of the inhabitants of Rome, whom I call Romans only with great reluctance, consisted of freedmen, and their children or grandchildren, and they perhaps thought that Gracchus intended to buy and deceive them. As Livius held out to them the same advantages as Gracchus, or even greater ones, the multitude followed him, although they must have seen through his scheme. Such is the character of the Italians to this day; for if a man ventures to give them his advice on any matter, out of true sympathy and with the greatest possible disinterestedness, they will always indulge in the suspicion that he has some impure motive for doing so, and that he is a knave. This trait is common to all classes in modern Rome. I myself have seen a striking instance of it in the case of a citizen of a small town, who had a collection of coins which he wanted me to value. He, imagining that I wished to deceive him, immediately asked me for one which I wished to purchase three times its real value, although at first he would have sold me every one of

<sup>15</sup> Cicero, *pro domo*, 9; Sallust, *Jugurth.*

<sup>27</sup> <sup>16</sup> Vell. Pat. i. 15; Plutarch, *C. Gracch.*  
8; Appian, *l. c.* 24.



his coins at one third of the price he now asked. Livius abolished the tithes of the lands distributed, and instead of the two colonies which Gracchus had contemplated, founded twelve, each of which was to consist of 3000 citizens.<sup>17</sup> The wealthy Romans had no objections to allowing this, since the only losers by the measure were the unfortunate old inhabitants, who till now had been only precarious tenants in the districts where their fathers had been conquered; and the wealthy had their estates only in those parts where the ancient towns had been destroyed. Whether these colonies were actually established may be questioned, but as those of C. Gracchus were, I do not see why those twelve also should not have been founded, and I conceive them to be the XII. *coloniae* of which Cicero speaks in his oration for Caecina.<sup>18</sup> They can have no connection with the events in the Hannibalian war; for eighteen colonies had remained faithful,<sup>19</sup> so that eighteen and not twelve must have obtained the advantage of the *commercium*. If therefore, as I think, these twelve colonies were not quite new ones, but twelve Latin towns which still had a large and unoccupied territory, so that a great additional number of citizens could find room in them, it is clear that these colonies may have obtained greater privileges than others. C. Gracchus saw that the thoughtless multitude followed the senate and its

tools, whose sole object was to deceive them. There are two classes of men, the one consisting of those who are sincere and open, who seek and love the beautiful and sublime, who delight in eminent men, and see in them the glory of their age and nation; the other comprising those who think only of themselves, are envious, jealous, and sometimes very unhappy creatures, without having a distinct will of their own: they cannot bear to see great men in the enjoyment of the general esteem, but take a delight in finding out some foible in them. These latter, a set of men more fatal to mankind than original sin, rose against C. Gracchus: they ridiculed him as a *doctrinaire*, as a theoriser. He had enjoyed the general esteem too long, he was too spotless, too pure, and too glorious not to be an offence to many; for every one was reminded by his example of what he ought to be: it was the greatness of Gracchus which determined them to bring him down, just as the Athenian citizens voted against Aristides, because he was called the Just. It is not surprising to find that this disposition existed among his colleagues; and thousands of others wanted to make him feel that they entertained no gratitude towards him. When therefore the tribunes for the following year were elected, and he offered himself as a candidate, he was taken no notice of, but still remained triumvir. There is no necessity for supposing that his colleagues were guilty of falsehood to prevent his election; for it was only among the better part of the middle classes that Gracchus seems to have had many followers; but they had little political power, and the nobles among his friends were thoughtless persons.

<sup>17</sup> Plutarch, *C. Gracch.* 9.

<sup>18</sup> c. 35.

<sup>19</sup> (Livy, xxvii. 9 and 10.) It has been proposed to read in the passage of Cicero xlii. *colontiarum*, instead of xli. *colontiarum*; but this conjecture cannot be admitted, xlii. not occurring in any ancient MSS.—N. See Savigny, *Zeitschrift für gesch. Rechtswissenschaft.* v. 2, p. 237.

## LECTURE XCII.

L. OPIMIUS, the destroyer of Fre-gellæ, and a powerful supporter of the senate, was now raised to the consulship, which he had sought in vain the year before; for C. Gracchus, who then possessed the highest degree of popularity, and was convinced that the people would do anything to please him, once requested them to promise him something, and when the promise was made, he asked them to elect C. Fannius consul—none of whose ancestors had yet held this dignity—instead of Opimius,<sup>1</sup> just as in the ancient romance the ladies ask favours of King Arthur. Gracchus had thus incurred the implacable enmity of Opimius, and Fannius faithlessly deserted him, and made common cause with his adversaries, although it would have been difficult for Fannius to obtain the consulship without the support of Gracchus. Opimius again was a plebeian, and yet, like Popillius Laenas, he sided with the nobles against Gracchus. The oligarchical party actually tried to find a subject for a quarrel. Gracchus was divested of the *sacrosancta potestas* of a tribune, and as his life was not safe, he was always surrounded by a number of friends. The measures of the senate displayed more and more their hostile spirit, and even the foundation of his colonies, which had been sanctioned by the senate itself, was to be suspended by a decree of the senate. This led to a discussion, and one of the tribunes, who had been appointed by the influence of the oligarchs, addressed the people assembled in front of the Capitol, and spoke against Gracchus. When the latter came forward to defend himself, they charged him with having tumultuously interrupted the tribune. Opimius, who was offering up a sacrifice, purposely sent one of his lictors ostensibly to procure something necessary for the sacrifice,

and the man, pressing through the crowd of Gracchus' friends, insulted them by calling out, "Make way, you bad citizens, for the good ones." A tumult arose, and the man was killed.<sup>2</sup> At the instigation of Opimius and the oligarchs the body was carried to the Forum, in order to produce some great and tragic scene, as if he had been a martyr in the good cause. The senate now, for the first time,<sup>3</sup> made a decree that the consuls should take care that the republic might not suffer any injury—a decree which invested Opimius with dictatorial power, because it was no longer customary to appoint a dictator, the curies having ceased to exist, and it being therefore impossible to observe the ancient forms. C. Gracchus took leave of his wife and children, and went with M. Fulvius to the Aventine, which had at all times been a place of refuge for the oppressed. Gracchus had not anticipated the misfortune, and his party was quite unprepared; he had no power to oppose the senate, and never thought of going to extremes; he could not make up his mind to shed one drop of blood. His friend and colleague, the consular M. Fulvius, a man of a bolder and more determined character, armed as many of the populace and as many slaves as he could, to defend himself. Their conduct was like that of Brutus and Cassius. The elements of the old plebeian movements no longer existed, and the populace of the city was in such a degraded condition that they had no sympathy for Gracchus, nor could he feel any for them. They abandoned him to his

<sup>2</sup> Plutarch, *C. Gracch.* 13. Compare Appian, *l. c.* i. 25.

<sup>3</sup> This must be understood to mean that it was the first time after the abolition of the dictatorship (about the middle of the sixth century). The formula *videant consules ne quid detrimenti res publica capiat*, is very ancient, and occurs first in A. U. 290. Liv. iii. 4.

<sup>1</sup> Plutarch, *C. Gracch.* 11.

fate, considering him to be either a cunning politician or a fool, and were satisfied if the gifts which he had procured for them were continued. The consuls therefore had no difficulty; the only thing they had to do was to attack the Aventine with a small force. The city was either paralysed or indifferent. The fact that the equites, who owed their existence as a distinct class to Gracchus, and who from this time forward are mentioned along with the people, as *equites et populus*, acted the part of mere lookers-on, is at first sight rather surprising, but is easily accounted for by the fear which is so peculiar to wealthy persons whose property does not consist of land, but of capital. There is, on the whole, no class of men more cowardly than that of mere capitalists, as we see in the history of Florence and of all other republics.

Gracchus sent to the senate to negotiate, but they required his party to surrender at discretion. The Aventine was feebly defended, and the *clivus publicius*, leading up from the Circus, was taken by storm. Fulvius Flaccus then sent his son, a fine youth, eighteen years old, to the senate to sue for a truce. The first time he was sent back; but when he came a second time, Opimius ordered him to be thrown into prison, and afterwards to be put to death. When the Aventine was taken, Flaccus himself was discovered in some house and slain. Gracchus leaped down from the steep precipice near the temple of Diana on the Aventine, at present the church of St. Alessio, in order to reach the Sublician bridge; but he strained his foot, and as no horse was to be had, it was only with great difficulty that, supported by his friends, he arrived at the bridge. His friends Pomponius and Laetorius, two equites of great wealth, acted differently from the majority of the wealthy Romans: they fought like Horatius Cocles at the bridge, and defended Gracchus against the pursuing enemy, until they were cut to pieces.<sup>4</sup> Gracchus in the mean

time fled across the Tiber into a sacred grove (*lucus Furiarum*), which, however, afforded him no protection, for Opimius had promised to give the weight of his head in gold to any one who should bring it to him. Gracchus was soon overtaken, but it is probable that some faithful slave, or client, put an end to his life. Every one knows the horrible barbarity of Septimuleius of Anagnia, who, himself a stranger to all these disputes, filled the head of Gracchus with lead to increase its weight. Opimius put to death, during his consulship, more than 3000 persons, all of whom may be said to have been murdered.<sup>5</sup> Some of the friends and supporters of Gracchus may have escaped. The state of things was, on the whole, like that at Naples in 1799, and all those who fell as victims were men of distinction. The bloodshed continued for two years, and the murderers called themselves *boni homines*, *boni cives*! Some of those who had belonged to the party of Gracchus became apostates, and among them we find C. Papirius Carbo, who must have gone over very early, and who, after being raised to the consulship, defended Opimius against the tribune, Q. Decius, who accused him of having put to death Roman citizens without a trial.<sup>6</sup> Carbo, after having saved

<sup>5</sup> Plutarch, *L. c.*; Orosius, v. 12.

<sup>6</sup> (Cicero, *De Oratore*, ii. 25, comp. 39; Livy, *Epit.* 61). It is curious to see how great the power and influence of tradition is in some of the tribunician families, and how the same characteristics appear through several generations, or recur after the lapse of a long intermediate period. An analogy to this is seen in England, in the family of the Russells. As instances of it in Roman history I may mention the Maellii, Publili, Licinii, and Decii. A Decius is mentioned among the first tribunes, and it was a Decius who now had the courage to accuse Opimius. In the political condition of our country we can scarcely form a correct notion of such a principle; but in antiquity and in all free countries it preserves the identity of sentiment from generation to generation, and is the security for the identity of the political state of a nation. Where this principle does not exist, we may declare without hesitation that the line which runs through the nation is made of sand, and may break off any where and at any time; so that such a nation is a mere assemblage of individuals, but not a state

<sup>4</sup> Plutarch, *C. Gracch.* 16 and 17; Appian, *l. c.* i. 26; Aurel. Victor, *De Vir. Illustr.* 65.

Opimius, became the favourite of the oligarchs. But he soon found himself attacked by P. Licinius Crassus, a near relation, and perhaps the brother-in-law of C. Gracchus, the same of whom Cicero speaks so often in his "Brutus," and in the masterly dialogue "De Oratore." He was a man of very great talent and genius, but, as in most orators of the time, these natural endowments were not cultivated as they had been in C. Gracchus. Crassus, too, began his career with the popular party, but afterwards deserted it: he went over to the senate, and became the declared champion of the oligarchy. His apostasy, however, has nothing in it that is odious, and no blame can be attached to him for it. His coming forth against Carbo was the first blow which the victorious party received; his attacks were so severe that Carbo put an end to his life by taking a solution of vitriol (*atramentum sutorium*).<sup>7</sup> All this was satisfactory to the feelings of those who still cherished the hope that a better time would come. But things remained as they were. The equites were very much intimidated, and the consequences of the independence of the judges had not yet become visible. But matters were brought to a crisis by the war against Jugurtha; for it was then that the baseness of the ruling party showed itself particularly; and hence Sallust with his fine tact chose it as the subject for description. But before I proceed to relate the history of that war, I must give a sketch of the extension of the empire.

I have not spoken of the foreign wars of the Romans during this period; and, as our time is very limited, I can now only just direct your attention to them. From the time of Tiberius Gracchus to that when the Jugurthine

war broke out, the Spaniards had shewn but little hostility towards the Romans. The Balearian islands were taken by Q. Metellus, one of the four sons of Metellus Macedonicus, all of whom obtained the consulship. The Metelli were now the greatest among the illustrious plebeian families, and represented the pride of the aristocracy. They produced great characters; and all that can be censured in Metellus Numidicus, for instance, leaves his personal character untouched. The Balearian islands were conquered by one of his brothers, and another subdued the Dalmatians, who appear henceforward as subject to Rome,<sup>8</sup> so that now the Romans could avoid the Adriatic and go to Greece by land.

The Roman dominion in Gaul was likewise extended. Soon after the death of Tib. Gracchus, the Romans undertook the first campaign in Transalpine Gaul. They were masters of almost the whole of Spain, and of Italy nearly as far as the foot of the Alps (Aosta did not belong to them); but in Gaul itself, in the country between the Alps and the Pyrenees, they had not yet attempted to gain a firm footing; all that they had done there consisted in their having, at the beginning of the seventh century, secured to the Massilians, their ancient allies, a tract of land along the coast, against the Ligurians. The first opportunity for establishing themselves there arose in a war of the Salluvians or Salyans against the Ligurians. The Salluvians, who occupied the country from Aix as far as Marseilles, were defeated. They had obtained assistance from the Allobrogiens, one of the greatest nations of Gaul, which occupied Dauphiné and Savoy, as far as Lyons. They, too, having been defeated, applied to the Arverni. Ever since the Hannibalian war, the Arverni had the patronage, or, as it is called in the history of Greece, the supremacy over the greater part of southern Gaul; they were governed by kings, and were in possession of a splendid empire. In the time of C. Gracchus the Romans were en-

with an hereditary constitution. I have mentioned this, because it is a thing so completely foreign to us, and because some of us might be inclined to look upon it as an enslaving principle.—N.

<sup>7</sup> Cicero, *Ad Famil.* ix. 21, says *cantharidas sumpsisse dicitur*. Niebuhr here confounds C. Carbo with Cn. Carbo, a person of the same family, who when accused by M. Antonius, *sutorio atramento absolutus putatur*.

<sup>8</sup> Livy, *Epit.* 60 and 62; Florus, iii. 3.



gaged in a war against their king, Bituitus, and the Allobrogiens, and gained signal victories on the Rhone, near Vienne, under Cn. Domitius Ahenobarbus and Q. Fabius Maximus Allobrogicus. Bituitus, about whose riches all kinds of tales have come down to us, tried to obtain pardon from the Romans, but the generals sent him to Rome to implore the mercy of the senate. He accordingly went to Rome without having come into *deditionem*; but trusting in the honesty of the Roman rulers he was arrested, and spent the remainder of his life at Alba on lake Fucinus, where Syphax and Perseus had died.<sup>9</sup> After these victories, we must conceive the Roman province to have extended as far as Dauphiné; the Allobrogiens, however, although they recognised the supremacy of Rome, were not subject to it. But Provence and lower Languedoc formed a real Roman province; and, although there was not always a praetor or a pro-consul residing there, yet the whole administration was that of a province. The exact time when that country was actually constituted as a Roman province can only be guessed, as we do not possess the books of Livy in which he must have mentioned it. Aquae Sextiae was the first Roman colony beyond the Alps.

The first appearance of the Cimbri belongs to the year 638. After the subjugation of Dalmatia, the Romans attacked Croatia, and this is said to have provoked the Scordiscans. But it is more probable that the migration of the Sarmatae stirred up the Scordiscans from the east; the latter now invaded Macedonia and Greece. This was one of the greatest calamities of the sixth and seventh centuries of the city, and belongs to the most fearful in the history of the world, inasmuch as in it were destroyed most of the beautiful remnants of antiquity. That period resembled the sixteenth and seventeenth centuries of modern times. In regard to Italy, this destruction

continued until the period of Augustus, when material prosperity of a certain kind began to arise. The consul C. Porcius Cato was destroyed in Thrace by the Scordiscans; and Macedonia, Thessaly, and a part of Greece were inundated with swarms of barbarians. But by far the most important war of this period is that against Jugurtha. The description which Sallust has given of it is one of the best specimens of ancient literature in either language, and I am almost inclined to prefer it to his Catiline. But both works are peculiar phenomena in Roman literature: they are what we call monographies, which are otherwise unknown among the Romans, except perhaps Coelius Antipater's history of the Hannibalian war, of which, however, we know nothing; the memoirs of Fannius were of quite a different nature. The books of Sallust are not written in the form of annals, the character of which he evidently tries to avoid: his intention was to write history in a compact and plastic manner. The works of Sallust are of such a kind, that the more we read them the more do we find to admire in them: they are true models of excellent historical composition. As regards the Jugurthine war, I can do no better than refer you to Sallust's description of it.

When Masinissa died, he had regulated his kingdom, and entrusted Scipio with the execution of his will. He left his kingdom to his three sons, Gulussa, Micipsa, and Mastanabal. We must not in any way conceive those princes as resembling the chiefs of the tribes which now inhabit those countries, for Livy<sup>10</sup> expressly states that Mastanabal was well acquainted with Greek literature, so that he was not a barbarian. He was so far master of Greek that he wrote in it. We must also remember that, at the taking of Carthage, its libraries were given to those Numidian princes. These facts shew how wrong our notions are, if we consider the Numidians and all those tribes to have been bar-

<sup>9</sup> Livy, *Epit.* 61; Florus, iii. 2; Vell. Paternul. ii. 10; Appian, *De Reb. Gall.* 12; Eutropius, iv. 22.

<sup>10</sup> *Epit.* 50.

barians. There can be no doubt that at that time even the rude Thracians were not wanting in Greek civilisation, and at a later time we find it even among the Parthians. The civilisation of the Greeks had extended very widely, especially since the fall of the nation. The Numidians, like the Libyans, had an alphabet of their own, as we see from the monuments of several towns in those districts. Colonel Humbert found a bi-lingual inscription, Punic and Libyan, on the gate of a town; in Cyrene we find inscriptions in three languages, Punic, Greek, and one unknown tongue. In the desert of Sahara, among the Tuariks, the travellers Clapperton and Denham found an alphabet quite different from the Arabic, and I am convinced that it belongs to the Libyan language, which is still found in the Canary islands, throughout the desert, and in the oases as far as the Nile and the Barabras above Egypt. Denham<sup>11</sup> is too superficial to comprehend it; but it will be possible to read the Libyan inscriptions, as soon as we know the whole alphabet, of which Denham gives only one letter. This subject will one day be completely cleared up.

Gulussa and Mastanabal died early; the latter left no legitimate children, but only Jugurtha, a son by a concubine; and thus the vast Numidian empire, extending from the frontiers of Morocco to the Syrtes, Leptis and Tripolis, fell into the hands of Micipsa alone.<sup>12</sup> He had two sons, Adherbal and Hiempsal. Jugurtha, who from his childhood had excellent talents, and had always gained the affections of all who came in contact with him, attracted the attention of king Micipsa. But, when the latter discovered that the talents of his young nephew were far superior to those of his own sons, he was led by jealousy to send him to Spain, where Scipio was collecting troops from all countries against the

Numantines, hoping that he would there terminate his career in the war against Numantia. But Jugurtha was spared by fortune; he distinguished himself, and became the intimate friend of Scipio;<sup>13</sup> he even demanded to be placed under Scipio's protection, that Micipsa might not murder him. Some noble Romans moreover tried to persuade him to cause a revolution, and provided him with money, as he had no prospect of succeeding to the throne in a legitimate manner, for after Micipsa's death the kingdom was to remain undivided. When Jugurtha left Spain, he received from Scipio a letter of recommendation to Micipsa, who was thus forced to become reconciled to him; and in his will he even placed him on a footing of equality with his own sons—probably in compliance with the wish of the Romans—and the three princes were to govern their empire in common. Hiempsal was proud and ferocious, and wantonly insulted Jugurtha as an intruder, though he was unable to cope with him in any way. As these princes could not live at peace with one another, they resolved to divide the kingdom; but Jugurtha, not satisfied with this, caused Hiempsal to be murdered. Jugurtha's character was like that of an Albanese, bold, audacious, cunning, and adroit; he had no notion of the sanctity of an oath, no honesty, no humanity: he was, in short, of a Satanic nature. He made an attempt on the life of Adherbal also, who, however, fled to the Romans. They, from their partiality for Adherbal, decided in his favour, and sent a commission to divide the country between him and Jugurtha; but the latter bribed the commissioners so effectually, that in the division he obtained the most warlike and important part of the kingdom.<sup>14</sup> But he aimed at the whole; whence a war soon broke out. Adherbal at Rome implored the senate for assistance against the usurper. The senate at first thought his request quite just, but the ruling oligarchs, headed

<sup>11</sup> I cannot answer for the correctness of this name, it being found in only one MS. of the notes taken down in the course of 1826 and 1827, and written too in an indistinct manner.

<sup>12</sup> Sallust, *Jugurtha*. 5.

<sup>13</sup> Sallust, *Jugurtha*. 7.

<sup>14</sup> Sallust, *Jugurtha*. 16.

by Opimius, the murderer of Gracchus, declared for Jugurtha, for they were bribed, and prevented any decision being come to. Meantime Adherbal was besieged in Cirta. The Italians, who were with Adherbal, advised him to surrender, and tried to stipulate that his life should not be endangered; but Jugurtha cared little about this, and even gave vent to his rage against the Italians. Adherbal was in the greatest distress; but his complaints at Rome were fruitless in consequence of the influence of L. Opimius, for emissaries of Jugurtha were staying at Rome with large sums of money, and bribed every one. But when the condition of Cirta had reached the highest pitch of distress, some of Adherbal's friends escaped from the town, and carried the most mournful letters to the senate. A new commission was accordingly sent, but this again was bought over by Jugurtha, and returned without having effected the raising of the siege. Nemesis, however, induced Jugurtha not to keep his word to Adherbal, who surrendered and stipulated only for his life, any more than to the Italian and Roman *negotiatores* in Africa, who alone had supported Adherbal, and now likewise surrendered. He ordered them all to be killed, in order to satisfy his revenge. This was too bad, and even those who had hitherto espoused his cause were obliged to be silent. A Roman embassy arrived at Utica to take Jugurtha to account; but he evaded their summons in the most audacious manner: he deceived them and gained his object. The chief of these ambassadors was M. Aemilius Scaurus, a great man in Roman history: but we are, nevertheless, in the greatest difficulty respecting him. When in earlier years I read in Horace,<sup>15</sup>

Regulum et Scauros, animaeque magnae  
Prodigum Paullum, etc.,

I imagined that there must be in his history many things which I did not know, for I was not acquainted with anything to justify such praise. As

regards Horace, it is a surprising fact, that no one can be more ignorant of the history of his country than he is: he confounds, e.g., the two Scipios, and although he ridicules Ennius, he had read so little of him, that he believes him to have sung of Scipio, the destroyer of Carthage.<sup>16</sup> It is at all events a great mistake of Horace to use the plural *Scauros*, for the son of our M. Aemilius Scaurus, whom Cicero defended merely to confer a favour on his family, was a monster, and the Verres of Sardinia. This un-Roman spirit in Horace leads him to depreciate the great minds of the early Roman literature. He was a man of elegant and superficial education, and even in his knowledge of Greek literature is not to be compared with Virgil. Hence so many strange things in his odes where he had misunderstood the Greek. He took the forms of his odes from a few Greek lyric poets. When he speaks of Homer as nodding, he shews his ignorance; to Lollius he writes that he had again read Homer, though it was perhaps for the first time since he had left school. In other respects he possessed an excellent and far more versatile and fertile genius than Virgil, but the latter was more industrious and laborious, whereas Horace was idle, and always indulging in refined enjoyments. The contrast between the two poets is very striking, and would be a fine subject for an essay. What seems to speak in favour of our Scaurus, is the great veneration which Cicero entertained for him. Cicero considers it one of the most pleasing recollections of his youth, that at the age of seventeen he was introduced by his father into the house of M. Aemilius Scaurus, then a venerable old man, and formed the acquaintance of Mucius Scaevola, and all the great men of that age, who received him with distinction, because they recognised in him the future great man. He came among them with the desire peculiar to all noble minds, to attach

<sup>16</sup> See Bentley on Horace, *Carm.* iv. 8, 17, who, however, for metrical reasons, expunges the line. Others believe that there is a gap in the passage.

<sup>15</sup> *Carm.* i. 12, 37.

himself to men more advanced in years than himself, and to purify himself through their influence. Thus he idealised those men, and this feeling remained with him throughout his life. Even as an old man he loved those men of his youth, and it is with this feeling that he speaks of Scaurus. Sallust is charged with malignity, but he is certainly not unjust when, full of indignation, he brands a man for ever. Scaurus at the time at which he is described by Sallust, was on the verge of that period of life, when the active vigour for carrying on war is already weakened, but not that for managing a state. When he became old, and had extricated himself from the connexions into which he had fallen, feeling that he was a man who had belonged to a better age, and had to maintain a great reputation, it seems that outwardly he lived in an honourable and lawful manner. In this state Cicero knew and admired him. But if we look upon Scaurus as a man, without any such bias in his favour, we can say nothing without falling into the greatest contradictions, for at different times he is quite a different man. There are persons who at one time display a very honourable character, though at an earlier period of their lives they may have acted as very bad citizens, and as if they had no principles whatever. As instances of such men in the history of England, in the seventeenth century, we may mention Shaftesbury, and the patriots under Charles II., who at one time kept up a secret correspondence with Louis XIV., while at other times they were real patriots.<sup>17</sup> The fundamental features in the character of Scaurus were very great pride, decided talent, and

<sup>17</sup> I know a man who has a great name in history, and who at one time, it is true with the consent of his government, did not scruple to appropriate advantages to himself with the utmost indelicacy, but who, at other times, has acted like a true political hero. Man is a changeable being.—N.

inflexible party spirit. He was a great statesman, and during the last twenty years of his life seems to have acted, if not in a virtuous manner, yet with great consistency, so that, at least as far as appearance goes, he deserves the reputation which he has in history. That his conduct during the Jugurthine war is not an invention of Sallust, is evident from the history itself. His conduct, at the time when he was one of the commissioners at Utica, was blameless, for he was particularly hostile towards Jugurtha. But after the death of Adherbal, things became too bad: the consul, L. Capurnius Piso Bestia, wished to enrich himself by the war, and at any rate to conclude a peace, if he should be paid for it. At first, therefore, he made common cause with some honest people, who desired that Jugurtha should be punished. In this spirit he caused himself to be sent with an army to Africa at the same time when the second commission went out. The war was at first conducted honestly, but negotiations were soon entered into; for Jugurtha contrived to persuade Bestia and Scaurus that peace would be far more advantageous to them than war. He remained in point of fact in possession of his kingdom, but nominally submitted to the Romans. In order that the senate might sanction the peace, the *foedus* was changed into a *clientela*. Thirty elephants, money, a large number of cattle, and deserters were surrendered to them; but the whole transaction was a shameful masquerade, for the deserters instead of being sent to Rome, where they were to be executed, were allowed to escape, and the elephants were given back for money.<sup>18</sup> This treaty excited the greatest indignation at Rome, and C. Memmius, a bold tribune, came forward to expose the whole of the revolting proceedings.

<sup>18</sup> Sallust, *Jugurth.* 29.



## LECTURE XCIII.

BESTIA's treaty with Jugurtha was so revolting and scandalous, that C. Memmius carried a decree that an inquiry should be made into those transactions; and L. Cassius, who was then looked upon as a man of the greatest integrity, was appointed to examine the state of affairs in Africa itself. Cassius was no doubt a man of high rank, a patrician,<sup>1</sup> but was unconnected with any faction; he was pure in a corrupt age, and hence denounced crime without regard to persons. His word was of such weight that Jugurtha, in reliance upon it, ventured to come to Rome to be tried. In Jugurtha's whole conduct, in relation to Rome, we see a singular wavering between boldness and a feeling of weakness. He was on the point of betraying his accomplices, to prevent which there was no other means than an abuse of the tribunician power: so C. Baebius, one of the tribunes, was bought over to forbid Jugurtha to speak in the assembly. The tribunician power had thus become strong for evil, but feeble for good. Jugurtha, encouraged by such proceedings, during his stay at Rome murdered Massiva, a young Numidian, and a descendant of Masinissa, who was then staying at Rome, and who had been led by the consul, Sp. Albinus, to entertain hopes of succeeding to the throne of Numidia; Jugurtha escaped to Africa in safety, leaving his sureties behind him. The senate, however, now annulled the transactions with Jugurtha, though none of his accomplices were punished, and sent the consul Sp. Albinus with an army to Africa. He conducted the war in a slow and careless manner,

and on returning to Rome to be present at the consular elections, entrusted the command to his brother Aulus, who allowed himself to be imposed upon to such an extent that he was surrounded by the Numidians. Jugurtha with his gold now worked upon the army, and not only strangers, but even Roman tribunes allowed themselves to be bought; then when all was prepared, Aulus was attacked, defeated, and lost his camp; he was obliged to conclude a disgraceful treaty with Jugurtha, which however was not sanctioned at Rome.

As matters had gone so far, it was impossible to hush them up any longer. Q. Caecilius Metellus now obtained the command, and was provided with great military forces. Three quaestors were appointed to inquire into the transactions with Jugurtha;—they were equites, and did not form a popular court,—one of them was M. Scaurus, who according to the statement of Sallust,<sup>2</sup> was in danger of being implicated in the inquiry, but was so skilful as to contrive to get this office in order to conceal the part he himself had taken in former proceedings; he accordingly carried the investigations no further than was consistent with his own safety. Many of his accomplices, and among them Opimius, who now had to atone for the murder of Gracchus, were condemned, and the whole party completely lost the public favour. It is inconceivable how Cicero could be mistaken about a man like Opimius; but in judging of a person we should never blindly follow others; those who then fell were assuredly all guilty. It is unfortunate that we do not know these *quaestiones* very accurately; but this much is certain, that by the disclosure of the baseness of the optimates, these people, who wanted to be looked upon as the

<sup>1</sup> See p. 156 of these Lectures, and *Hist. of Rome*, ii. p. 173, where the Cassii, after Sp. Cassius Viscellinus, are called plebeians; but the passage of our text belongs to the Lectures of 1826, and the other to the Lectures of 1828 and 29.

<sup>2</sup> *Jugurth.* 40.

best, received a blow from which they never recovered. The equites who were now the judices formed a decided opposition to the senators. From this moment the division began, which afterwards led to the civil war between the parties of Marius and Sulla. Respecting the internal history of Rome during this time little is known, and not even the names of those who were put to death by the sentence of the quaestors. That Opimius and Bestia fell is certain, but in regard to others little is known.

Metellus conducted the war for two years in a manner which deserves our greatest respect, although he made some mistakes; but many of his exploits are among the most brilliant recorded in history. For the details I refer you to Sallust. Jugurtha engaged in an open battle only once, and lost it. Metellus was the son of Metellus Macedonicus, and obtained the surname Numidicus. He is one of those characters that are easily misunderstood: we cannot say unconditionally that he was a noble-minded man, for although a plebeian, he was full of the prejudices and selfishness of the nobles. He had from his childhood entertained the conviction, that the government must be conducted in an honest manner. He patronised persons born in humbler stations, for he had great regard for real merit, but he required that they should put a check upon themselves and not strive after the highest offices. In this light we must view his relation to Marius, to whom he was at first favourably disposed; but as soon as Marius sued for the consulship, Metellus, in the blindness of passion, became his enemy. Men like Metellus are found to this day among the high nobility of England, who look upon the privileges of their own order as the first and most inalienable of all rights, and who, when crimes committed by members of their own order are to be inquired into, step forward to gloss over the foul stains. These considerations make the remarkable character of Metellus quite clear: his personal character was quite blameless, but his pride did not permit him to be just.

He rejected all the proposals of Jugurtha, employed the king's own Punic artificers against him, so as to oblige him to disarm, in order to purchase hopes which were not realised; and when Jugurtha actually wanted to escape, by making concessions, from the destruction which he clearly saw before his eyes, Metellus made demands which would have rendered him quite defenceless. Jugurtha again showed a mixture of pusillanimity and boldness, and an inability to accommodate himself to his circumstances. He wished to surrender himself to Metellus, having already surrendered all his arms and elephants and 200,000 pounds of silver; but when the time came for delivering up his own person, he fled to the desert districts of Mount Atlas, although he had deprived himself of all resources.

The war however was protracted, and no one knew how long it would yet last, when the opinion became prevalent at Rome that it was the fault of Metellus that it had not yet been brought to a close, although no one had reason to doubt his virtue. He was incorruptible, disinterested, a great statesman and general, and his personal character was respected, but his pretensions were unbearable; and it cannot be denied that this trait in his character brought great sufferings upon his country, and that the immense irritation of Marius would never have been roused had not the whole party of the optimates set their engines to work to keep him down. The accounts of the ancients respecting the descent of Marius do not agree with one another; some represent him as a man of very low birth, others (Velleius Paterculus) raise him somewhat higher;<sup>3</sup> but it is quite certain that his ancestors were clients of a municipal family of Arpinum, which does not however imply that they were not free men. His name is Campanian, and consequently Oscan: it is probable that his family removed from Campania to Arpinum, and there

<sup>3</sup> Plutarch, *Mar.* 3; Vell. *Paterc.* ii. 11; Sallust, *Jugurth.* 63.

became clients of the Herennii. He was poor ; but this did not do him any harm : and I also believe it to be true that he served at first as a common soldier, and that at a still earlier period he worked as a field labourer.<sup>4</sup> But his extraordinary genius must soon have become manifest, otherwise he would never have been able to rise so high ; for it was a rare occurrence among the Romans, especially in later times, for a common soldier to rise above the rank of a military tribune, unless indeed he had the very best connexions. But Marius rose without them. He was early known at Rome as an able centurion, and when he offered himself for the military tribuneship, he was elected with great applause. At the time when he came forward as a candidate for the aedileship, he must have acquired considerable property ; but he was unsuccessful. Soon afterwards, however, he obtained the praetorship, in which office he acted very honorably ; but even then the oligarchs acted badly towards him.<sup>5</sup> He, however, maintained his ground against their charge of *ambitus*, which was at that time an every-day occurrence ; for every one was accustomed to spend his money when he offered himself as a candidate for any office, and then to make the crime, of which he himself was guilty, a charge against his competitors. When Metellus went to Numidia, he made Marius one of his legates. It was at that time not very uncommon for a *homo novus* to rise to the office of praetor ; and when Sallust<sup>6</sup> says that a *homo novus* had never before obtained the consulship, he is mistaken ; for out of the six praetors, four usually rose to the consulship ; and it was in this way that Fannius had been made consul. The children of a praetor, however, were not *homines novi*.

Marius, who at the time of the Jugurthine war must have been a man of my age (1829), about fifty years old,

signalled himself greatly in the Roman army in Numidia. He was very superstitious, and here we find, for the first time, a superstition pointing to the East ; he was always accompanied by a Syrian, probably a Jewish, prophetess, of the name of Martha, in whose counsels he had implicit faith.<sup>7</sup> Once, while he was offering a sacrifice, something had happened which, as he believed, promised him the highest honours of the republic.<sup>8</sup> Encouraged by this omen, he resolved to seek the consulship. This presumption was more than Metellus could brook, and he therefore tried to dissuade him from it, and to detain him in the camp, by throwing ridicule on his ambitious scheme. But, when Marius resolutely applied to Metellus for leave to go to Rome, the latter forgot himself so far as to say that he need not be in a hurry to obtain a refusal, and that he had better wait until his (Metellus') son could be elected as his colleague. The son of Metellus was a young man of about twenty, and had, according to the *leges annales*, to wait twenty years longer before he was allowed to sue for the consulship. Marius never forgot this mockery : he was enraged and got his friends at Rome to exert their influence with the people in his favour. Metellus now for the sake of appearances yielded, hoping that Marius would arrive too late, as he did not grant him leave of absence till twelve days before the election. Marius, however, reached the coast with immense exertions ; and a favourable wind enabled him to arrive at Rome before the day of election ; he was received by the people with extraordinary favour, and was elected consul by a great majority.

It is unjust to call the Gracchi demagogues, but Marius deserves that name in the fullest sense. He flattered the populace, as others flatter men of influence, and took pleasure in appearing among them as one of their equals. He was not fit for the time in which he lived ; for he had a peculiar kind of

<sup>4</sup> See the passage of Juvenal, quoted in vol. iii. p. 11.

<sup>5</sup> Plutarch, *Mar.* 5.

<sup>6</sup> *Jugurth.* 63.

<sup>7</sup> Plutarch, *Mar.* 17.

<sup>8</sup> Plutarch, *Mar.* 8 ; Sallust, *l. c.*

pride, which many circumstances tended to wound ; this perpetual irritation exasperated him, and led him into his unfortunate career. Greek education and Greek literature were then as prevalent, and thought to be as necessary, as an intimate acquaintance with French literature was in my youth ; and, if we recall to our minds that period of our own history, we may understand how great the demand for Greek literature must have been at that time. Cato learned Greek in his old age ; but he did learn it, and was very familiar with the literature of his own country also. Marius did not, like him, cling to the earlier traditions, which were already beginning to disappear ; he was undoubtedly acquainted with Greek, which was then quite necessary in society, but he despised it, as well as the literature which was then fashionable among the Romans, but which was unknown to Marius. He possessed great wealth, which can have been acquired only in war ; and it is a remarkable characteristic of the times, that he was nevertheless considered as a man of incorruptible manners, as a *vir sanctus* ; merely because he had not robbed the republic like the majority of his contemporaries ; whereas, in the earlier times, Fabricius, Curius and others were thought *sancti*, because they possessed none of the luxuries of life. Marius' talents as a general were immense, and it was the consciousness of his superiority in this respect that bore him aloft. The opinion of the nation was not divided on this point. He was as great on the day of battle, as in the disposition of his troops and in the art of fortifying his camp ; and in the management of a campaign he was unrivalled. He had few friends, for the prominent features of his character were bitterness, hatefulness, and cruelty ; but he was, at the same time, the man whom Providence had sent to save Rome ; his bad qualities were called forth by those who oppressed and provoked so extraordinary and distinguished a man. Metellus, when compared with Marius, was no more than an ordinary general, and in a hostile encounter with him

he would have been instantly defeated ; for Marius was an extraordinary man, of great foresight, and free from all rashness. At times when it was necessary to act, his energy knew no bounds ; and he had at once the clearest possible insight into all the circumstances and relations of the case. His hatred of the optimates led him to bring many a charge against them, which, although really unjust, appeared to him perfectly just.

The tribunes of the people at Rome proposed that the province of Numidia should *extra ordinem* be assigned beforehand, and as the people unanimously agreed to this, Marius, after being raised to the consulship, received the command to bring the war against Jugurtha to a close. On this occasion, Metellus again shewed a mean spirit. Not being able to bear the sight of Marius, he departed to Rome in secret,<sup>9</sup> leaving the army to his legate Rutilius, an excellent man, who afterwards became the victim of party spirit, by joining the opponents of the optimates ; for the democratic party as soon as it had gained the upper hand, showed itself just as bad as the oligarchic party had been before. Marius terminated the war in less than two years, showing on all occasions the greatest boldness and ability. Sallust describes this especially in his account of the siege of Capsa, how he dispersed the cavalry, etc. The Romans did not advance much beyond Cirta, and Jugurtha went to Bocchus, king of Mauretania, with whom he was connected by marriage, and who had at first assisted him in the war, but soon listened to proposals of the Romans, and by delivering up Jugurtha into their hands made peace with them. This took place after much deliberation, Bocchus hesitating for a long time, and wishing to detain Sulla, who conducted the negotiations. At length he gave up Jugurtha, who afterwards adorned the triumph of Marius. A part of Numidia was added to the province of Africa ; but the greater portion remained an independent

<sup>9</sup> Sallust, *Jugurth.* 86.



kingdom, the kings of which probably belonged to the family of Masinissa, but we do not know the particulars. Juba, in the time of the Caesarian war, was descended from the anonymous king who now succeeded. Bocchus was recognised as an independent sovereign.

The war against Jugurtha was thus concluded; and it was high time indeed, for the republic required the talents of Marius in a war, compared with which that against the Numidian king was little and insignificant. The Cimbri and Teutones were expected on the frontiers of Italy, after they had cut to pieces the armies of Q. Servilius Caepio and Cn. Manlius. Marius, by the unanimous call of the nation, was appointed consul for the second time, contrary to the existing laws, which, on the one hand, did not allow a man to be made consul in his absence, and on the other hand, required that the same person should not be re-elected till after the lapse of ten years. Marius triumphed on new year's day, on which he also entered on his second consulship.

The Cimbri<sup>10</sup> were not real Gauls, but Cymri, of the same stock as that to which belonged the Welsh, the Basbretons, the early inhabitants of Cumberland (which derives its name from them, and where traces of the Cymrian language existed till about 100 years ago), and the whole western coast of England. Whether Ulster was inhabited by Cymri is uncertain. The Picts of Scotland were likewise Cymri, and the Belgae also belonged to the same race; they were, to some extent, mixed with the Gael, but the Cymri must have predominated among them. In their great migration, in the fourth and fifth centuries, they went as far as the Ukraine, and under the name of Celto-Scythae, extended eastward as far as or even beyond the river Dnieper, where they were called Galatians.<sup>11</sup> But the whole question about these nations is one which we

cannot settle with proper accuracy. Through circumstances with which we are imperfectly acquainted, but probably by the progress of the Sarmatians or Slavonians, these tribes had been driven from their abodes, and threw themselves back upon their own kinsmen in Moldavia, Wallachia, Hungary, etc. They first expelled the Bastarnae, then the Scordiscans and Tauriscans; and, before the outbreak of the Jugurthine war, in A.U. 639, they appeared in Noricum, on the frontier of Italy, which extended in reality over Carinthia and Croatia, as far as the bay of Trieste—a district which was already inhabited by Gauls, who were under the protection of the Romans, as is always the case with small tribes living near a powerful nation without being subject to it. The Cimbri, who remained behind, appeared on the middle Danube and in Bohemia, attacking the Boians, a kindred tribe, as well as foreigners, in order to acquire a territory to live in; but they were repelled. It must have been there, on the middle Danube, that they attacked all with whom they came in contact, and joined the Teutones. That the latter were Germans, as even their name indicates, is as certain as that the Cimbri were Cymri, or, more generally speaking, Gauls. Many Gallic words have a general affinity to the Cymrian, and yet the languages differ so much from each other that the Cymri and Gauls do not understand one another, though both are comprised under the generic name of the Gallic nation. The Teutones may have been pushed forward, like the Cimbri, by the progress of the Sarmatians from the East. If what is related from Pytheas' travels is true, that he found the Teutones on the east coast of Prussia, it would seem probable that they were pushed forward by the Sarmatians from northern Poland. In Gaul they evidently appear as the companions of the Cimbri, and the names of the leaders of the two nations show that the one was a Gallic and the other a Germanic people; but whether the Cimbri and Teutones had already united their

<sup>10</sup> Compare p. 216 of these Lectures.

<sup>11</sup> Compare vol. ii. p. 522, foll.; Arnold, *Hist. of Rome*, i. p. 519, foll.

forces in Noricum, or whether their junction took place subsequently, is unknown.

The Romans sent out an army to protect the Carnians under the consul, Cn. Papirius Carbo,<sup>12</sup> probably a son of the Carbo who had put an end to his life when accused by L. Licinius Crassus; but he was defeated in 639, in the neighbourhood of Noreia, by the Cimbri, who seem to have fought alone there. The Cimbri, satisfied with this victory, did not follow it up by descending into Italy, either because they were overawed by the name of the Romans, or for other reasons unknown to us. What is surprising is that they spread over the mountainous parts of Austria and Bavaria, to the north of the Alps, districts which were then inhabited by Celts, and whence they proceeded to Gaul. In the general state of dissolution, they were joined by the Tigurini, a tribe from Helvetia, and by the Ambrones. From what country the latter came is totally unknown; one might almost suspect that they were Ligurians from the Alpine mountains, but the question is an inextricable problem. The Cimbri, with their associates, now threw themselves into Gaul, like a horde of nomades, with an immense number of waggons loaded with women, children, and booty. These four tribes, sometimes united, sometimes separated, thus fell upon the civilised world. It is difficult to determine the places where they defeated M. Junius Silanus and M. Aurelius Scaurus,<sup>13</sup> for our accounts are incredibly scanty, as Livy is here wanting, and Zonaras could not make use of the seventeen books of Dion Cassius, which are lost. According to one statement, it might almost seem that in one of these battles the Romans had advanced as far as La Rochelle, between Poitou and the Garonne.<sup>14</sup> Another defeat was sustained near the lake of Geneva

by the consul, L. Cassius Longinus,<sup>15</sup> and the Romans had to purchase permission to depart by giving up half of their baggage. Thus defeat followed defeat. The Romans wished to protect the Transalpine Gauls, but all attempts failed. These ravages of the Cimbri brought, for the moment, infinite misery upon the Gauls. The whole country between the Rhone, nay, we may say between the Rhine and the Pyrenees, was ravaged and weakened; and thus was prepared the way for the victories of Caesar, for the towns were taken and destroyed, and the inhabitants cruelly treated. Of all the Gallic tribes the Belgæ alone made a successful stand against the Cimbri.

The greatest defeat which the Romans suffered in this war was on the river Rhone, the year after the first consulship of Marius. The proconsul, Q. Servilius Caepio, and the consul, Cn. Manlius, undertook the war in that year with two consular armies. The number of the slain, which is stated to have been 80,000 Romans and Italians,<sup>16</sup> does not seem to be historical, unless we suppose that a great number of Gallic auxiliaries served in the Roman armies. The two consular armies, however, were totally annihilated.<sup>17</sup> The consequence was that Marius, now again the only man on whom the nation fixed its hopes, was made consul for the second time; and even his political adversaries, seeing the very existence of the republic endangered, supported his elevation. It was fortunate for the Romans that the Cimbri, after their great victory, turned to Spain, either because they dreaded the passage over the Alps, or because they shrunk from attacking the Romans in their own country. They now for a few years ranged over Spain, which the Romans

<sup>15</sup> Livy, *Epit.* 65; Orosius, v. 15; compare Caesar, *De Bello Gall.* i. 12.

<sup>16</sup> According to Orosius (v. 16,) Valerius Antias was the only authority for this number.

—N. Compare Livy, *Epit.* 67.

<sup>17</sup> Dion Cass. *Excerpt. Vales.* p. 631; Florus, iii. 3; Eutrop. v. 1; Vell. Patere. ii. 12.

<sup>12</sup> Appian, *De Reb. Gall.* 15; Livy, *Epit.*

63.

<sup>13</sup> Livy, *Epit.* 65 and 67; Florus, iii. 3; Asconius Pedian. in *Cornel.*

<sup>14</sup> Orosius, v. 15.

were unable to protect, and the ravages which they made there were perhaps as great as those inflicted on the same country by the Suevi and Vandals in the fifth century of our æra. Even places which surrendered to the barbarians were treated in the most fearful manner. The Celtiberians shewed their usual bravery, and maintained themselves in their towns, preferring to feed on the corpses of their own citizens to falling into the hands of the barbarians; while other places were taken and destroyed. This perseverance of the Celtiberians induced the Cimbri to give up the hope of conquering Spain, and to go back to Gaul.

The devastation of Gaul belongs to the time of the Jugurthine war under Metellus, and the expedition of the Cimbri into Spain, to the second and third consulships of Marius. For the ill success of their arms induced the Romans to confer upon him the consulship for the third time, and even his enemies supported him, seeing that there was no one else to save the republic. All the Roman armies were destroyed, except that which came from Numidia. Marius, therefore, devoted the time of his second and third consulships to the forming and training of a new army. The elements of which the Roman armies consisted had degenerated with the social and political condition of the people: the population no longer consisted of a free peasantry, and armies could be raised only from a mass which deserved no other name than that of a populace. The task of Marius, to make well-disciplined soldiers out of such materials, was very difficult indeed, and one which he alone could accomplish, being himself an excellent soldier, and requiring every one else to be the same. The remnants of former armies were for the most part utterly demoralised, and the army which he formed consisted of foul-hearted recruits of the very worst description, and of veterans whom he had brought over from Africa. That Marius was the originator of the great change in the Roman tactics which we see in

Caesar, is a conjecture which has been expressed even before this time, especially by Colonel Guichard. The change can, in fact, have been the work only of a man who always made his arrangements so as to answer present purposes. Until the time of Marius, and even as late as the Numidian campaigns, we find mention of the *principes*, *triarii*, and *hastati*; it is true we have no great historical work in the Latin language relative to the period subsequent to Marius, but we have an accurate knowledge of the legions of Caesar, and in them we find neither *principes*, *hastati*, nor *triarii*; nothing but *pilani*; the lance had been disused, and only the *pilum* and sword were retained. The drawing up of the soldiers in maniples<sup>18</sup> likewise disappears, and the legion is drawn up in a line ten men deep, with a corresponding reserve; when an army is divided into corps the disposition is not thereby altered; for the different corps, too, are not drawn up in maniples, *en échelons*, but in lines, one behind the other. A legion is divided into sixty centuries, whereas in the earliest times it was divided into five cohorts, each cohort containing thirty centuries of thirty men each; and the legion is raised from 4,500 to 6,000 men. The light troops are kept separate; and the legion is no longer a brigade, but has become an extremely strong regiment, in which all the men have the same armour; and the cavalry is independent of the legion. Another very essential change for which Marius has been greatly censured is, that in levying an army he did not act in the manner which had previously been customary. Formerly all those who possessed less than 12,500, but more than 1500 ases, were employed only as a reserve; subsequently all men whose property came up to 1000 sesterces (400 denarii) were levied for the line, and those who possessed less were employed in the fleet; but Marius now took every able-bodied man, though he might be as poor as a

<sup>18</sup> *Manipuli*, however, are mentioned in *Caes. B. G.* ii. 25.

beggar. According to the notions of the olden time, this was certainly a bad thing; for in the early times it was quite right to employ in the defence of their country only those who were expected to have an interest in the preservation of the constitution: but at that time there were no standing armies; and as soon as these became customary it was less hard for a person who had no property to remain for years in a province, than for the only son of a family which had property to do so. That which had formerly been right had therefore now ceased to be so, in consequence of the change of circumstances. I may say in general that, although I fully admit the heavy

sins, and, if you like, the vices, of Marius, yet I consider it unreasonable to speak of him as if it had been a misfortune for the republic that he was born. There can be no doubt that he deserved his great reputation. His cruelties are not to be excused; but he was a great man, and it is our duty to try to understand and explain his sins. Two such different characters as Cicero and Caesar were very partial to Marius. Caesar, as a boy, was attached to him with his whole soul, his aunt Julia being married to Marius; and Cicero, in spite of his party, was proud of being a native of Arpinum and a countryman of Marius.

## LECTURE XCIV.

ELEVEN years had now elapsed since the first appearance of the Cimbri, a proof of the rapidity of those migrations westwards, which never had any bounds. Had the Cimbri been successful in Spain, it is very possible that they would have crossed over into Africa. Marius was obliged to raise an army as well as he could; the veterans from Numidia were the only soldiers that were not in a demoralised condition, and he accordingly was obliged to prepare the new soldiers for the war by mixing among them the few victorious veterans. In his fourth consulship the army was ready to take the field. Even in his third consulship he was in southern Gaul, on the banks of the Rhone, probably on the frontiers of Provence and Dauphiné, between Arles and Avignon. He had chosen that district, as near as he could safely to the enemy, as the place for exercising his troops, which he had compelled to acquire extreme activity. Whoever was unable to bear the hardships perished; but the rest were all the better soldiers. As the Rhone, like all the rivers of the Mediterranean, fills up its mouth with mud and sand, he quickly formed a canal

to keep up a free communication with the sea. In his fourth consulship he advanced as far as the confluence of the Isère and Rhone, expecting that the Cimbri and Teutones would return from Spain. It was generally believed that they would take the same road across the Alps as Hannibal had chosen; the Gauls had of course forgotten their hostile feelings towards the Romans, and now looked upon them as their protectors. If it is true that Marius was obliged to have recourse to intrigues to obtain his fourth consulship, it is a bad sign, and shows the blindness of the oligarchy.

The barbarians, for reasons which we do not know, shewed no inclination to attack Marius. The Cimbri separated their troops from those of the Teutones, and marched round the northern foot of the Alps towards Noricum, in order to invade Italy from that quarter, while the Teutones remained in Gaul. The reason why Marius now retreated from Valence to Aquæ Sextiæ is not mentioned in our meagre accounts, like many other things connected with this war. The Cimbri passed by the Roman camp, jeering and mocking their enemies,



and marched around Switzerland, for between the Pennine Alps and those of Trent there was at that period no practicable road for such hosts with their waggons. The only road was that over the Little St. Bernard, and this they could not take on account of the Romans. Some, however, may have gone across Mount St. Gothard and the Splügen. The Romans sent another army under the consul, C. Lutatius Catulus, to meet the Cimbri in the Italian part of Tyrol, in the neighbourhood of Trent: but in point of discipline this army was quite the reverse of that of Marius; just as Catulus himself was the very opposite of Marius in acquirements and accomplishments; for according to Cicero,<sup>1</sup> he was well acquainted with Greek literature, having even left his memoirs written in Greek, as was then customary with well educated men at Rome, for Latin prose had not yet been sufficiently cultivated by great authors, just as Frederick the Great wrote his memoirs in French. The loss of Livy's books on this period is irreparable, for we know absolutely no more of it than of the earlier centuries; and properly speaking, we know less of the enormous efforts made in the war against the Cimbri and Teutones, than of the migration of nations, and of the struggles against the barbarians at the beginning of the fifth century of our era. Orosius is here our best authority, and sometimes we must be satisfied with Florus. All these epitomisers, however, Orosius, Eutropius, Florus, though full of mutual contradictions, derive their materials from Livy. The account of Plutarch is independent of Livy, and furnishes most detail on the Cimbrian war.

When the Cimbri had gone away, the Teutones and Ambrones followed Marius with increased confidence in their own strength, as is generally the case when an enemy seems to take to flight. In what direction the Tigrini went is unknown. From an expression in the epitomisers which Plutarch passes over, it would appear that the

barbarians took the camp of Marius; but this cannot have happened at the encampment near which the battle was fought, for in the march towards it, and in the whole disposition of the army, we recognise a retreat and a forced pitching of the camp. Marius, therefore, was obliged to pitch his camp in a position where there was no water, so that the soldiers had to fetch it from a distant well, and could not safely do so without their arms. Hence they demanded to be led to battle. Marius wanted first to form a fortified camp, for the enemy was quite near, and the circumstances unfavourable; but he could not carry his point, for the distress was so great, that some of the men attending on the baggage went, in their despair, to a piece of water quite close to the enemy. There they were attacked by the Ambrones. The soldiers went to their assistance; first the Ligurians, then one cohort after another hastened towards them without Marius' orders. Thus an engagement ensued, in which, for some unknown reason, the Teutones took no part; but they had probably not yet arrived. Even in this skirmish the Romans gained a brilliant victory, and the greater part of the Ambrones were destroyed; but, nevertheless, the Romans not having a fortified camp spent the following night in uneasiness, and in working at their ramparts. The next battle was not fought on the following day, as was expected, but on the second day, probably because the Teutones and the rest of the Ambrones did not arrive till then. Marius prepared everything with the talent of a great general, and sent M. Claudius Marcellus (whose family always had able men, and who was probably a grandson of the worthy Marcellus in the Iberian war, who was five times consul), probably with a detachment of allies, to attack the enemy's rear. This plan was successful, as it frustrated the attacks of the barbarians upon the Roman camp. Even before, the fury of the Teutones had failed against the firmness and perseverance of the Romans, especially as it was summer, for southern nations have

<sup>1</sup> *Brutus*, 35.

much stronger muscles, and can endure much more, both cold and heat, than we can. It is an erroneous opinion that they can bear less cold than we; for in Napoleon's campaign in Russia the Italians held out much longer than the other soldiers. The Romans therefore supported the heat of the sun far better than the Teutones. The Romans were stationed on a hill, where they were attacked, but drove down the enemy, and when they endeavoured to rally again in the plain, Marcellus fell upon their rear. One part endeavoured to save itself by flight, but was cut to pieces by the Gauls. The chief of the Teutones was captured by the Sequani; the remainder of his army retreated to their waggons, but could not maintain their ground, the Romans attacking them there also; the whole nation was literally almost annihilated, for those who survived the battle put an end to their own lives, and only a few were sold as slaves.<sup>2</sup>

When half of the danger had thus been removed, the Cimbri marched through Tyrol, and descended from the Alps of Trent into Italy. It was not the fault of Catulus that they succeeded in this, the cause being the immense superiority of the barbarians in numbers, and the terror which they spread. Orosius<sup>3</sup> is the only ancient writer on these events, in whom we rejoice to find a pure source of information; the narrative of Florus, where he describes the manner in which the Cimbri opened the roads, is perfectly childish, for he speaks of them as if they had been the most senseless of barbarians, who wished to check the current of the Adige with their hands. Had Florus not been the *homo umbraticus* he really was, he would have known that when an army has to march through a river, the cavalry ride through it in close columns at a higher part, which most assuredly does check the current of the river, and greatly facilitates the passage for the infantry below: in many parts of the river Adige, this method is par-

ticularly successful. The Cimbri may have tried something of the same kind, and have believed that with their gigantic bodies they might check the river; but this is impossible in the Adige as it is at Legnano. Florus further says that they threw trees into the river, intending thereby to stop its course; but I cannot believe that they were so foolish as to imagine anything of the sort. If they threw trees into the river, it was certainly because they wanted to make a bridge, or to break down the bridge of the Romans; and this plan could not but succeed. The Romans were stationed at each end of the bridge, on both sides of the river; one part was cut off, and obliged to surrender to the Cimbri, but they were set free in an uncommonly humane manner. It must be regarded as true also, that on their passage over the most impassable Alps, they slid down the sides of the mountains, seated on their shields as on sledges. Lutatius Catulus, being unable to hold out against the rapid progress of the Cimbri, retreated even beyond the river Po. The whole country north of that river was laid waste; the towns of Verona, Mantua, Brescia, and others, were left to the protection of their own walls, and defended themselves, but the open places were destroyed. From the winter until the following summer, the Cimbri, we do not know why, tarried in the country north of the Po. We are completely in the dark as to what else took place.

Marius was informed in Gaul of the invasion of the barbarians, ordered his army to march, apparently towards Genoa in Liguria, and went himself to Rome. There all were full of admiration of him; and the belief that he alone could save Rome was so universal, that even the oligarchs supported his re-election to the consulship for the fifth time. The anxiety to gain his good-will was so great, that a triumph was offered to him, but he declined it until he should have conquered the Cimbri; and this confidence on his part found its way into the hearts of all. Marius now united his forces with

<sup>2</sup> Plutarch, *Marius*, 19, foll.; Livy, *Epit.* 69; Vell. Paterc. ii. 12.  
<sup>3</sup> v. 16.

those of Catulus, who had remained with his army as proconsul. Both crossed the Po with a force of somewhat more than 52,000 men. We are told that the Cimbri knew nothing of the defeat of the Teutones, which is a perfect absurdity; for it is impossible that during the period from the autumn till July, they should not have received any information. There can be no doubt that the feeling that half their power was destroyed, led them to demand of Marius a country to live in; and if they made the same demand for their brethren, they can have been no other than the Tigurini. Whether the Cimbri wished to secure their passage back into Gaul, in order that in case of need they might be able to retreat across the Little St. Bernard, and whether for this reason they went to Vercelli, is uncertain; but notwithstanding all the different readings, it seems to be an established fact, that the battle was fought near Vercelli, on the slope of the Alps. I cannot see how it could have occurred to any one to place it in that corner of Lombardy, had it not been so recorded. The place of the battle is called Campi Raudii. Contrary to the Roman custom, the battle was announced three days beforehand, and it was fought on the 3rd before the calends of Sextilis, that is, on the 29th of July, as the calendar then stood. Thus long had the Cimbri tarried in that unhealthy country of Lombardy, where fevers are so common and water so bad for drinking. They had ravaged it ever since the beginning of winter, and epidemics had already broken out among them. On the day of the battle, Marius placed the army of Catulus in the centre, and distributed his own on the two flanks. The account of the battle, which we have in Plutarch alone, is so confused, that nothing can be made clear. It is incredible that the Cimbri should have formed a square mass, each side of which was several miles in length, for such a mass would have consisted of several millions; the sides of the square, moreover, are said to have been bound together with chains, so as

to form an impregnable wall.<sup>4</sup> Marius is said to have placed his lines in such a position, that the sun and the wind were against his enemy,<sup>5</sup> but we cannot decide whether this is true or not. Catulus had to bear the brunt of the battle; at least, it was fiercest in the centre. The fate of the Cimbri was the same as that of the Teutones: they fled to their waggons, where women and children joined in the fight, and at last made away with themselves. A great number were taken prisoners, the Alps preventing their escape: in short, all the Cimbri who had come across the Alps, were extirpated; the only remnant was the tribe of the Aduatici, whom they had left behind on the lower Rhine, where accordingly they must at one time have had their fixed abode.<sup>6</sup>

It was a controverted point whether the merit of this victory belonged to Marius or to Catulus; but this is only a proof of the existing party-spirit, and I believe that there is no ground at all for looking upon the matter as doubtful, for it cannot be denied that Catulus was jealous and envious of the vulgar upstart. Marius celebrated his victory by the most brilliant triumph that had ever been seen at Rome; but how giddy he had become in his lofty position was seen most strikingly by his entering the senate in his triumphal robe. He was rewarded for his unexampled services by being made consul for the sixth time, perhaps the first instance of a man being so often invested with this honour; for it cannot be said with certainty, whether Valerius Corvus had been consul six times,<sup>7</sup> though I am almost convinced of it; still it may be that the consulship which was regarded as his sixth, belonged to a member of his family with whom he was confounded. The general opinion at Rome was, that some one before C. Marius *had* been invested with the consulship six times, and the Romans evinced no surprise

<sup>4</sup> Plutarch, *l. c.* 27.

<sup>5</sup> Florus, iii. 3.

<sup>6</sup> Caesar, *De Bello Gall.* ii. 29.

<sup>7</sup> Compare vol. iii. p. 124.

until he obtained the same dignity for the seventh time. In his sixth consulship he was called the third founder of Rome, after Romulus and Camillus; but that consulship, although in the end Marius was useful to the republic, was followed by such sad consequences, that it would have been better for Marius if he had died on the day of his triumph; for then the world would have seen him only in his glory, a glory greater than that of Scipio himself, and—have been deceived. Marius was not the man to be anything in quiet times of peace; the dissolution of Rome was rapidly progressing, and was of such a nature that Marius was obliged to act. There are different kinds of courage in reference to danger, for a person either stares death in the face with indifference, or he forgets it in the joy of the action. This in itself is noble, though the motive is not always so; it is only he who has a pure mind, and is conscious of a noble object, that is in the full enjoyment of individual freedom, and can accomplish great things. Many persons are deficient in this kind of courage, but have a definite moral courage by which they place themselves above all prejudices, it being indifferent to them whether they are mis-judged or not. Others are extremely timid in this respect, and though in danger they shew a lion's courage, yet they cannot prevail upon themselves to act upon an opinion which appears to be heretical. In this latter kind of courage, Marius was weak; for if it is true that he allowed himself to be used as a tool by the men who, during his sixth consulship, exercised such an influence upon him, he would appear to us in a very miserable light. The truth is, that at one time he was afraid of the demagogues, and at another of the senate: he had that sad partial weakness of a great man who is not a great character.

He had formed connexions with a knave, L. Apuleius Saturninus, a man who is frequently coupled with the Gracchi, although there can hardly be any difference so great as that between Saturninus and the Gracchi. This

Saturninus was a man like Catiline, and a strange phenomenon. I can hardly believe that there were real foundations for all the charges brought against Catiline; for, in regard to some of them, it is impossible to discover what could have been his object. Ambition may drive men to dangerous enterprises, but it is really difficult to account for a man acting so madly as Saturninus did. It would seem that he was a revolutionary spirit, who did not clearly conceive what would be the result of a revolution, and never thought of institutions and government, but only of violence and destruction. He was by no means of vulgar origin: he belonged to one of the noblest plebeian families, just as in the French revolution men of the highest nobility placed themselves at the head of the mob. I do not recollect at this moment whether it is of him or of his companion, C. Servilius Glaucia, that Cicero says that he had never known a man of a more malign wit;<sup>8</sup> and it was by that means that they swayed the people. In his career to the higher offices of the republic, which he had commenced as a partisan of the nobles, he had been offended. There were then eight *quaesturae*, which were given either to consulars or to others, and with which revenues were connected; one of them was the *quaestura Ostiensis*, to which the duty of providing for the granaries at Rome was attached. Saturninus had held the office of *quaestor Ostiensis*, and had availed himself of the privilege of the nobles to make himself guilty of peculation. But circumstances changed, and the oligarchs were no longer able to screen the sins of their friends; an honest party had been formed from both factions, under the leadership of C. Memmius, and thus Saturninus was deprived of his office. Just as this punishment was, it gave him a severe blow,<sup>9</sup> and he threw himself into the

<sup>8</sup> Something to this effect is said by Cicero (*Brutus*, 62) of Glaucia; comp. *de Orat.* ii. 61, 65.

<sup>9</sup> Cicero, *Pro Sext.* 17, *De Harusp. Respons.* 20; Diodorus, *Fragm.* lib. xxvi. *Eclog.* 2, p. 527.



arms of the populace, a combination of the dregs of the nobles and the middle classes. He then became tribune, and in this capacity displayed the most scandalous conduct towards the first men, such as the censors and others. When he offered himself for the tribuneship a second time, and a certain A. Noricus was put forward as his competitor, Saturninus incited the people so much against him that the unfortunate man was murdered in the market place. Saturninus thus obtained the tribuneship by force. The magistrates had no longer any authority: he who had the power acted as he pleased.

One of his accomplices was the praetor C. Servilius Glaucia, a man of very noble birth, and not a *libertinus*, as we might infer from his name.<sup>10</sup> It is difficult to say what these two in reality wanted, but however wild their scheme may appear, one of them seems to have intended, in his frantic folly, to establish himself as tyrant; but if they imagined that Marius would allow this, they must have been as mad as the drunkard in Shakespeare's *Tempest*. In order to comprehend the characters of the men who lived during this period of Roman history, we must look upon many of them as complete madmen. Robespierre was a man of similar stamp, for no one can say what his real object was, and probably he had none at all. Men of that description merely wish to rule at random, without having themselves any distinct notion of what they want. The second tribuneship of Saturninus was contemporary with the sixth consulship of C. Marius. He began a complete course of legislation, and by a series of seditious proposals tried to win the favour of the people. His intentions were very different from those of the men who are called seditious in former times; for he aimed at tyrannical power, a plan in the execution of which only such generals as Sulla or Caesar could have been successful. The ac-

counts of the laws of Saturninus are very obscure, but we know that a comprehensive agrarian law was one of the most prominent,<sup>11</sup> and that he changed the furnishing of corn at a low price into real largesses. It would seem as if all the lands, which were to be distributed according to his agrarian law, were in Gaul, north of the Po, for it is improbable that they should have been in France. He is said to have also carried a *lex judiciaria*. He flattered Marius in every possible way, by telling him that he intended to establish colonies,<sup>12</sup> which were to consist of Romans and Italicans; for as the Italian allies had greatly distinguished themselves in the army of Marius, Saturninus favoured them just as much as the Romans, and this was the reason why many of the poor Romans were exasperated against the law. Marius was to have the honour of bestowing on three Italian allies, in each of these colonies, the rights and privileges of Roman citizens, a privilege far beyond the bounds of all civil power. If in former times a general had had such presumption, it would have called forth a rebellion. Even at this time the measure was regarded as something quite enormous, but in later times no one thought of taking offence at an emperor conferring the franchise, and thus exercising a part of the right belonging to the sovereign people alone. These laws, partly on account of their author, and partly on account of their manifest aim, were opposed by all honest men, and even by those who had before resisted the oligarchy with all their might, as well as by the broken-down oligarchs, who now demanded no more than what was fair. Hence C. Memmius, who twelve years before, as tribune, had called upon the people to break the power of the oligarchy, became the object of furious hatred with the seditious party, though he acted then as he had done before, only as an honest man.

The new agrarian law when passed

<sup>10</sup> In like manner one of the Scipios was called Serapio, from an actor whom he resembled. — N.

<sup>11</sup> Plutarch, *Marius*, 29.

<sup>12</sup> Appian, *De Bell. Civil.* i. 29; Cicero, *pro Balbo*, 21; Livy, *Epit.* 69.

by the people, did not require, according to the Hortensian law, to be sanctioned by the senate; but that the senate might not afterwards prevent its being carried into effect, Saturninus demanded that the senators should expressly swear to observe it five days after its being passed by the tribes.<sup>13</sup> The matter was discussed in the senate, and Marius refused taking the oath, perhaps because he had acquired some insight into the contemptible character of Saturninus. It was thought that he refused from malice, to induce his enemies, especially Metellus, to follow his example. This may have been the case, but the more probable cause was a want of fixed principles, which he shewed on many occasions; for soon afterwards he changed his mind, and advised the senators to take the oath, declaring that it was impossible to refuse it any longer. Cicero had a moral power which did not allow him to be overawed; in his oration *pro Rabirio perduell.*, he says: *Nihil me clamor iste commovet sed consolatur, quum indicat esse quosdam cives imperitos sed non multos.* Neither Plutarch nor Appian explain the connection. At the end of all laws there occurs this formula: *si quid sacri sanctique est quod non jus sit rogari, ejus hac lege nihil rogatur, or si quid jus non esset rogari, ejus ea lege nihilum rogatum.*<sup>14</sup> Now the unhappy advisers of Marius said, that matters would come to civil bloodshed, if the law were not passed; and that if it were passed, that formula would be a protection against anything which thereby became null and void in the law. This circumstance was not understood either by Plutarch or by Appian, and still less by their translators. By this piece of casuistry, they prevailed upon Marius to declare on the fifth day in the senate, that even if the oath were taken, there yet remained that loop-hole; and Marius then took the oath, and after him all the other senators. Metellus Numi-

dicus alone resisted, and showed a determination of character which was more honorable than his Numidian victories, and which makes us forgive him his pride towards Marius. In the time of trials he showed himself resolute and consistent. But Saturninus persisted in his plan; he ordered his *viator* to drag Metellus out of the senate-house, and declared him an outlaw (*aqua et igni interdicbat*), so that Metellus went into exile to Rhodes. The year passed away amidst the greatest atrocities. The stain in Marius' character is his weakness; thenceforth he was always undecided; he negotiated with both parties, and was at the mercy of the storms which surrounded him. But fortunately Saturninus and his followers carried their excesses so far that they produced a fusion of parties; and Marius abandoned their cause.

When the time of the new consular elections came on, M. Antonius was unanimously elected, and it seemed certain that on the following day C. Memmius would be chosen the other consul: he was one of the most energetic and upright men of the time, and probably the same who had been tribune in the time of the Jugurthine war; if not, he was at least a near relative of that tribune. Against him Glauca and Saturninus created a tumult. They had the audacity to cause him to be attacked in the public market place, and having fled into one of the stalls, he was murdered.<sup>15</sup> This was too glaring a crime, and Marius was applied to, to put an end to these atrocities, and he at once resolved to do so. He received from the senate the command, *videret, nequid res publica detrimenti caperet.* He forthwith summoned all the equites and honest citizens. In this danger it became evident that the nobles, at other times also, might have averted much evil, if they had not neglected their own protection. When the mutineers saw that all rose against them, they retreated to the Capitol, where they

<sup>13</sup> Plutarch, *Mar.* 29.

<sup>14</sup> Cicero, *ad Att.* iii. 23, *pro Caecin.* 33; Walter, *Gesch. des Röm. Rechts*, vol. ii. p. 12, notes 45 and 46, 2d edit.

<sup>15</sup> Cicero, *in Catilin.* iv. 2; Appian, *De Bell. Civil.* i. 32.

were besieged. Marius again shewed himself a skilful general: the *clivus* was taken, and the guilty fled into the massively built Capitoline temple, to storm which would have been considered sacrilegious. Into this temple the water was conducted by pipes from the *aqua Marcia*: these pipes Marius ordered to be destroyed, so that the besieged would have perished with hunger and thirst. The ancient well which I have discovered, and which during the siege of the Gauls had provided the Romans with water, must therefore at that time have been in the same condition as it is at present, otherwise the besieged would have been able to satisfy their thirst.<sup>16</sup> This well is now in the most wretched condition; and it is impossible to drink the water, all kinds of dirt being thrown into it. Glaucia proposed to set fire to the temple, and thus to destroy themselves; but the others, hoping to save their lives, refused to do so, and surrendered at discretion. The ringleaders were shut up in the curia Hostilia, that they might be tried. But whether it was that the populace had altered their minds, or that the government got up a mutiny to escape from the odium of executing so many nobles, the roof of the curia was scaled, and the prisoners were killed by the mutineers from above. Marius' conduct reconciled the people to him; and he now took a second step towards a better course, by causing Metellus to be recalled from exile. The laws of Saturninus seem to have been abolished, as were afterwards those of Livius. Marius then retired to the station of a private man, for he had never entertained the idea of making himself tyrant.

The republic was shaken to its very foundations. The great dispute was about the courts of justice. The equites, from their jealousy and hatred of the senate and of individual senators in the provinces, had abused their judicial powers in such a way that they

were looked upon as tyrants, and parties again began to apply to the senate. The system of farming the public revenues had become more and more developed; societies of farmers rented mines, tolls, tithes, etc., and others carried on usurious business with their capital; they had amassed the most exorbitant treasures, and extorted in the provinces far greater sums than the laws permitted. In the Bible we see the manner in which the *τελώναι*, the agents of the *publicani*, carried on their proceedings. Such is the state of things even at this day at Rome: it is not long since the providing of necessities for the galley slaves was given in contract by the government to an actress, who made a very lucrative business of it. She took quite a sufficient sum per head, but farmed out to others the actual supplying of the provisions: every one took for himself a small profit, and thus it went downwards, the prisoners almost literally dying of starvation. When a consul or pro-consul oppressed the provincials, and protected the *publicani*, he was safe; but when an honest man checked the abuses of the farmers of the revenue, they took vengeance by accusing him of malversation, *repetundarum*, and got him condemned by false witnesses. Such was the fate of P. Rutilius, which created general exasperation. It was impossible to exercise any control, the *publicani* always supporting one another, for when one of them was accused he had only to write to his colleagues at Rome, and request them to deal gently with him, and he was sure to escape. As soon as the equites had once established the system of regarding only their own interest, every attempt on the part of the provincials to obtain justice was useless. The hostility which then existed between the senate and the equites shows itself, in all nations at a certain stage of their development, between landed property and moveable property, as is now the case throughout Europe. The senators or optimates were the great land-owners, and the equites possessed the capital with which commercial speculations were

<sup>16</sup> Plutarch, *Mar.* 30; Aurel. Victor, *De Vir. Illustr.* 73; Appian, *l. c.* Compare vol. iii. p. 306, notes 524 and 529.

carried on. There were, moreover, at Rome many circumstances in which moveable property might be employed against the nation, and every one belonging to the government was dependent on the equites in consequence of their forming the courts of justice. Montesquieu, who is otherwise excellent, sees these things in a wrong light, and it may be said in general that modern writers have thrown no light upon them; but we may yet form a very clear notion of them. There was a manifest hostility against the courts of justice, which had been called forth by their own tyranny.

## LECTURE XCV.

THE happy termination of the war against the Cimbri and Teutones and the suppression of the disturbances of Saturninus were followed by a period of precarious tranquillity, during which no reflecting man could be mistaken as to the internal condition of the republic and its prospects, although the great mass undoubtedly continued to live on quietly and heedlessly. The condition of the rich and powerful was brilliant, but those who saw deeper cannot have overlooked the state of disease, and even the decomposition which was taking place; they must have seen the necessity for coming to a determination respecting the great question of the Italian subjects of Rome. But no one seems to have thought of a reform calculated to avert the threatening evil; though various changes were undertaken. It is a characteristic sign of these times, that those who wanted to get power began by making themselves popular, and after having obtained their ends went over to the opposite party. Thus Cn. Domitius Ahenobarbus deprived the college of pontiffs and the other priests of the right of filling up (by *cooptatio*) the vacancies which occurred among them, and transferred it to the tribes in such a manner that only seventeen tribes (the smaller half of thirty-five) were chosen by lot to elect the priests.<sup>1</sup> Originally the pontiffs had been chosen from among the patricians, and by

them in their curiae; when subsequently the plebeians were admitted to share the pontificate with the patricians, they naturally took part in the elections also; but afterwards when the curiae no longer met, and had become something quite different from what they had been originally, the college of pontiffs itself naturally acquired the right of cooptation. Now, how was it that Cn. Domitius transferred this right to seventeen out of the thirty-five tribes? The origin of the measure must have been that Cn. Domitius attributed a different meaning to an ancient expression, according to which the Luceres had been called (perhaps in the twelve tables) the *minor pars populi*, and which he applied to the seventeen tribes. This Domitian law is the latest instance of an occurrence in which we can trace any of the characteristics of the primitive constitution of Rome.

The great questions which were now brought forward on all occasions, were that concerning the judicial power of the equites, and the franchise of the allies. It had, as I said yesterday, become more and more evident every year that the equites exercised their right no better than the senators had done before, and that they were just as accessible to bribes. Their courts of justice had reduced the senate to a real state of dependence, and the senate and government, the best among them as well as the worst, must have felt the urgent necessity of a remedy. Among the best we may mention Q. Mucius

<sup>1</sup> Cicero, *De leg. Agrar.* ii. 7; Vell. Paterc. ii. 12.



Scaevola, who showed such exemplary and truly affecting conduct in Asia,<sup>2</sup> coming among the Asiatics like an angel from heaven, that had the publicani, against whom he protected the provincials, been able to find any pretext for accusing him, he would have been condemned like a guilty criminal.<sup>3</sup> Here then was a case in which the need of a reform must have been generally felt; but it is a misfortune to which all free states are exposed, and from which Rome was not exempt, that although every one may be convinced of the necessity of a reform, yet no one appears to see the way in which it is to be effected.

The question respecting the civic franchise of the Italians, resembles the present Catholic emancipation question in Great Britain. Every one was convinced that the franchise must be granted, and was inclined to grant it; but then again, so soon as private interests were consulted, the affair appeared in a different light; thus while the Romans were one year willing to bestow the franchise upon the Italians, another year they refused to do so. The idea of demanding the franchise or their emancipation had been entertained among the Italians as early as the tribuneship of Tib. Gracchus; since that time thirty years had elapsed: they had often had great hopes, but had each time been disappointed. There had formerly been a better understanding between Rome and her allies than between any other ruling city and its subjects; but great bitterness was now spreading, and the Italians came forward, and resolutely demanded the Roman franchise. The very men who had before inspired the Italians with hopes, now became their zealous opponents, when they made their demands too insolently. So far as we can see, nothing at all was done for them, with the exception of a single law, which abolished the tithe on the *ager publicus*, and which is

known only from Appian. Their demands now became more and more clamorous, as the franchise became more and more desirable for them. They had gradually assimilated themselves to the Romans, they had lost their dialects, and yet were expected in peace as well as in war to submit to the arbitrary proceedings of their Roman rulers. During this ferment the Roman government was in great fear; but whenever a measure was adopted, it only increased the exasperation. Some Italian allies, for example, had silently assumed the rights of Roman citizens, and one of them, M. Perperna,<sup>4</sup> had even been made consul and censor, but at length it was discovered that he had no title to the franchise. During the general dissolution, everything at Rome had fallen into confusion: the calendar in Caesar's time was more than eighty days behind hand, in consequence of arbitrary intercalations; so also in the census: allies had been enrolled as citizens, because they acted as citizens, and had been entered by the censors in a tribe. Now on a sudden, a senseless enactment was passed, the *lex Mucia Licinia*,<sup>5</sup> directing that a strict inquiry should be made, and that the names of all those who were not citizens in the strictest sense of the term should be erased from the lists. This law did not indeed forbid the allies to reside in Rome, but deprived them of the privileges connected with the residence, and thus took from them rights which they had acquired by custom. Thus

<sup>4</sup> Valer. Max. iii. 4, 5. It is impossible to decide whether the M. Perperna who was consul in the year 622 is the same as he who was consul in 660, and censor in 666; though it is not impossible, since, according to Pliny, *H. N.* vii. 49, he lived to the age of ninety-eight. In this case, however, Perperna's censorship would belong to a later date than the *lex Mucia Licinia* (657), and thus would be out of place here. If they were two different persons, the words *and censor* must be omitted from the text. But the whole question is rather doubtful, as in Valerius Maximus we read *lege Papia*, which cannot possibly belong to the story.

<sup>5</sup> Cicero, *pro Cornel. fragm.* 10, p. 449; Asconius, *in Cornel.* p. 67, ed. Orelli; *De Officiis*, iii. 11, *De Oratore*, ii. 64.

<sup>2</sup> Cicero, *c. Verrem*, ii. 10; Pseudo-Asconius, *in Verr.* ii. p. 210, *in Divinat.* p. 122, ed. Orelli.

<sup>3</sup> Cicero, *pro Plancio*, 14.

at the very time when the Italians demanded more than they possessed, the little which they did possess was taken from them. The degree of exasperation produced by this measure may easily be imagined; but such blindness then prevailed in everything.

Gradually, however, a considerable party in the senate came to the conviction that a reform must take place; and this party consisted of the sons of those who had thwarted the plans of C. Gracchus. They wanted to make an attempt to improve the state of affairs; the most urgent necessity was to reform the courts of justice. But this was opposed by the whole influence of the equites, which was so great that even Polybius said, that in his time there were few people who were not in some way or other subject to it. In order therefore to carry this point, it occurred to them to grant the franchise to the Latins and allies, a thing which ought to have been done independently of every other consideration. Under these circumstances the tribune, M. Livius Drusus, a son of the opponent of C. Gracchus, came boldly forward with a remedy for the distressed state of Rome. He was a man of extraordinary talents; his hands were unstained, and he was of a better nature than his father. The eyes of the whole nation were directed towards him, and the rational and leading men of the republic joined him in his endeavours to prevent a revolution by introducing the necessary reforms. Here again many things are obscure. It is strange that, in the history of this late period, there are more things which we can only guess at than in the early times of Roman history. In regard to the latter, the traditionary forms are firmly established, and we may draw conclusions from them as evident as those drawn from mathematical premises, and say: "If such or such a thing took place, this or that other thing must of necessity have taken place likewise." But in these later times, when all institutions had lost their stability, we can no longer draw such inferences. It is for this reason that the changes

introduced by M. Livius Drusus are so very obscure. The most probable opinion is that Appian<sup>6</sup> is right in stating that the main object of Drusus was to introduce a mixture in the composition of the courts of justice.<sup>7</sup> Had he attempted to give them back entirely into the hands of the senators, the consequence would have been a revolution. Even the *lex Servilia* had enacted that the courts should be divided between equites and senators, but that regulation had been of short duration. The number of senators amounted to three hundred; to these he wished to add three hundred equites, who were to be received into the senate; and out of these six hundred the jury<sup>8</sup> were to be taken, half of whom would undoubtedly be senators. As he thus admitted the equites into the senate, he offered them an advantage which might be an ample compensation for their loss of the exclusive possession of the judicial power. With this he connected another law, providing that *quaestiones* concerning judges who had judged partially or accepted bribes should be instituted before the same tribunal: an awful symptom of the times! What was to be the form of such *quaestiones*, we do not know, but it was probably intended that they should be appointed according to the tribes. This plan determined the equites to oppose the bill, as we clearly see from a passage in Cicero.<sup>9</sup> Many of the equites also had no wish to enter the senate, but

<sup>6</sup> Appian, *De Bell. Civil.* i. 35. Compare Livy, *Epit.* 71; Aur. Victor, *De Vir. Illustr.* 66.

<sup>7</sup> Comp. Vell. Patere. ii. 13; Cicero, *pro Rabir. Postumo*, 7, *pro Cluent.* 56; Livy, *Epit.* 70.

<sup>8</sup> From the time of C. Gracchus, the judices at Rome may be looked upon as analogous to our jury, a term which some English scholars have improperly applied to a much earlier period. But previously to the time of the Gracchi we read only of single judices, or of popular courts. In civil cases, individual *arbitri* still continued to be appointed; but for all state-offences and also for some criminal cases, there were the *quaestiones perpetuae*, analogous to our jury.—N.

<sup>9</sup> *Pro Rabirio Postumo*, 7; comp. *Cluentio*, 56.

preferred a position in which they were lords and masters of the state, and which enabled them to censure others, to one which imposed upon them a moral responsibility and exposed them to the danger of being censured and accused. It moreover appears that it was not the intention of the law of Drusus to keep up constantly the number of three hundred equites in the senate by filling up vacancies as they occurred; on the contrary, the addition of three hundred equites seems to have been only a temporary measure. The equites may therefore have said, "the consequence of this bill will be, that in the end the judicial power will again fall into the hands of a senate of 600 nobles, and vacancies will be filled up at the discretion of the senate, as if we did not exist at all: the bill therefore is only a scheme to deceive us." But, notwithstanding all this, the measure of Drusus seems to me the best that could have been devised, because it was not his intention to stop short there, but at the same time to confer the franchise upon the Italicans, and thereby to impart fresh life and energy to the higher classes of the Romans, and to extend the body of Roman citizens, so as to make them a nation with a new aristocracy. His agrarian law,<sup>10</sup> on the other hand, respecting which scarcely anything is recorded, aimed at raising the lower and restoring the middle classes, and was intended to benefit both the Italicans and the Romans. Now, as the Italicans were more nearly related to the Romans than the Umbrians and Etruscans, the same divisions now arose as had existed between the Italicans and Latins on the one hand, and the Romans on the other, in the time of C. Gracchus. The Latins consisted of the colonies scattered all over Italy, from Valentia in Bruttium to the foot of the Alps, and of the few old Latin towns which had not yet obtained the franchise, as

Tibur and Praeneste. By the term Italicans were understood the Sabelian nations, Sabines, Marsians and their confederates, the Picentians, Samnites, and probably also the Lucanians, unless the relations of these latter had become worse through the Hannibalian war. It was probably not intended to favour in this way the Apulians and Sallentines among whom the Greek language predominated. All the others were regarded as foreigners, so that the Umbrians, Etruscans, Bruttians, and the Greek maritime towns, did not come into consideration. In what manner such divisions of claims spread further and further, may be seen in the history of the internal disputes of other free states, with which our scholars are so seldom acquainted.<sup>11</sup> Thus the tribuneship of Drusus has been a real *crux historicorum*, and people have asked, "how could the bitter hostility between Drusus and the consul L. Marcius Philippus have arisen? Drusus was popular, and would not his laws have strengthened the aristocracy? Where then was the difference?" The answer to these questions must be looked for in the nature of the circumstances. The equites resisted the two bills with the utmost fury, and

<sup>11</sup> In Geneva, for instance, there was a long dispute between the *citoyens* and the *bourgeois*, the latter claiming and obtaining the rights of the former. After these two parties were placed on a footing of equality, the *Natifs*, being the sons of foreign parents, but born at Geneva, supported the party of the *Représentants* in their dispute with the *Négatifs*; and when the demands of the *Représentants* were satisfied in 1789, the resident aliens, or *Habitants*, came forward and made the same claims. Such is always the case in free states, and by this and similar instances we may see clearly how impossible it is for a scholar like Freinsheim, though he was a learned and industrious man, to form a clear notion of the real condition of the ancient republics. Freinsheim might have had an accurate knowledge of many things, if he had concerned himself about the history of the constitution of his own native city of Strassburg; but he knew nothing beyond his library, and thus whenever he touched upon the living reality of ancient history, he saw nothing but hollow words. It is only when we conceive ancient history as something actual and real that it has any meaning.—N.

<sup>10</sup> Aurel. Victor, *De Vir. Illustr.* 66; *Scholia Bobiens. pro Milone*, p. 282 ed. Orelli; Diodorus, *Excerpt. Vatic.* p. 128, ed. Dindorf; Vell. Patern. ii. 14.

yet, as the Italicans came to Rome in large numbers, ready to take up arms in case of need, they were passed. Now as this was accomplished in the most illegal manner, the majority of the senate, as soon as the Italicans had left Rome, adopted, with incredible blindness, the plan not to concede to the allies that which had been promised to them; and they even declared this determination openly to Drusus. This caused exasperation between him and the dishonest senate, a fact which explains the words of Cicero, that the *tribunatus Drusi pro senatus auctoritate susceptus infringi jam debilitarique videbatur*.<sup>12</sup> He accordingly appeared either as a cheat or as cheated. The stupid ruling party of the oligarchs were as dissatisfied with Drusus as the equites. They said, "Shall we allow 300 equites whom we cannot bear, to be placed on a footing of equality with us for ever?" Such people cannot see the unavoidable necessity for making concessions; but imagine that by their mere "No" they can uphold the old state of things. What now followed was the natural consequence of the character of the human heart. Drusus, until then a zealous supporter of the government, began to oppose the senate quite contrary to his former policy. The ruling party in the senate was as anxious to get rid of Drusus as the equites. Philippus was his sworn enemy; it was he who pronounced the awful sentence preserved by Cicero,<sup>13</sup> revealing the secret that there were no more than 2000 families whose property was unimpaired; from which we at once catch a glimpse of the abyss of destruction, and of the forlorn state of the republic. Such was the real state of things in those times, and we cannot wonder how it happened that the unfortunate Drusus found himself abandoned by both parties. He was an impetuous man, and had undertaken the dangerous part of a mediator between the Romans and Italicans (the Latin colonies were quiet, for they were sure to be the first to obtain the

Roman franchise, and therefore allowed the others to bring forward their claims, only a few of them having entered into the interests of the Italicans). Things went so far that the Italicans swore an oath of allegiance to Drusus, which in the *Excerpta Vaticana* of Diodorus<sup>14</sup> is absurdly called by the editor *ὄρκος Φιλίππου*. This oath is extremely remarkable, for it shews an association of a peculiar kind, such as existed in Ireland thirty years ago. The Italicans swore that they would obey Drusus unconditionally, and endeavour to persuade others to undertake the same obligation. During this period Drusus was really in a feverish state: he was not in full possession of his own free will: he knew not what he was doing. Had he been supported by the ruling party, he might have still been able to solve the difficulties, and the war between Marius and Sulla would perhaps not have broken out. But he was irritated to the extreme, and his conduct towards Philippus, against whom he did things which he ought not to have done, showed that he was in a fever; but Philippus may have driven him to despair. While things were in this critical state, Drusus was assassinated by a wound in his side, which he received while he was walking in the evening up and down in the hall of his house, and conversing with his friends to prepare himself for a great discussion.<sup>15</sup> The perpetrator of the crime was never discovered. Scarcely a few hours after his death his laws were annulled, with the exception of that concerning the courts of justice, in doing which the senate assumed a power until then unheard of.

The death of Drusus happened at the most unfortunate moment, for the

<sup>14</sup> P. 128, ed. Dindorf.

<sup>15</sup> Vell. Paterc. ii. 14; Appian, *De Bell. Civil.* i. 36; Livy, *Epit.* 71. In the great houses of the Romans, as in the baths of Titus, there were spacious halls without windows, which were lighted only by candleabra. In these halls numbers of persons, both known and unknown, used to assemble, to obtain an audience of the master of the house, for the noble Romans were in reality more like princes than anything else.—N.

<sup>12</sup> *De Orat.* i. 7.

<sup>13</sup> *De Officiis*, ii. 21.



Italians were now in a state of the greatest excitement; the best prospects had been held out to them, and there was now no one to realise them. At Rome there was as general a disinclination to grant them the franchise as there was, for instance, in England to grant independence to the Americans, and as there is at the present moment to concede the emancipation of the Roman Catholics. The Italians were, in fact, looked upon as rebels. The party of Drusus was now again in the senate itself; they had lost their senses completely. Crassus died just at this time, and the wisest men, such as M. Antonius and the two Scaevolae, did not know what to do, and were intimidated. As the storm could not be averted, men threw themselves right in its way. The equites accused the senators as traitors. They had gained over the tribune Q. Varius, a Spaniard by birth,<sup>16</sup> whom Cicero calls *homo vastus et foedus*.<sup>17</sup> This uncouth fellow, whose franchise even was not certain, and with whom impudence

supplied the place of talent, brought forward a bill, providing that a commission should be appointed for the purpose of inquiring who had had any public or private communication with the Italians about their emancipation.<sup>18</sup> The lower classes at Rome, although they had nothing to lose by the laws of Drusus, were most furious against the Italians, and the equites condescended to make common cause with the populace to support the bill of Q. Varius. It was carried, notwithstanding the greatest opposition of the most respectable men in the senate; for, as the people appeared in the forum in arms, the rational opposition of the ruling party was soon overwhelmed. This law gave rise to a great many lawsuits, and several noble senators were condemned as having treacherously encouraged the Italians. A singular state of feeling had at that time sprung up at Rome: the senators acted the part of democrats, and the populace, guided by the equites, that of aristocrats, the former wishing to emancipate the Italians, the latter not.

<sup>16</sup> His father was a Roman, but his mother was a Spanish woman.—N. Cicero, *Brutus*, 62; Appian, *De Bell. Civil.* i. 37.

<sup>17</sup> *De Oratore*, i. 25.

<sup>18</sup> Appian, *l. c.*; Val. Maximus, viii. 6, 4.

## LECTURE XCVI.

THE Social war is one of those periods during which the scantiness of our information is particularly painful. Livy had devoted four books to the two years of the Social war, but nearly all we know about it is contained in the meagre narrative of Appian, who not unfrequently makes statements which are incredibly one-sided, and in a few isolated passages which are extremely brief.<sup>1</sup> The passions, the exertions, the various changes of for-

tune, and the excellent conduct on both sides, warrant the assertion that this war is one of the greatest in all antiquity.

The first symptoms of the tendency of the Italian allies to separate themselves from Rome and to form a new kind of Roman state had been manifested as early as the second Punic war.<sup>2</sup> Subsequently Fregellae had revolted against Rome. Those who had been the first to determine on beginning the war were not those who actually took the field, but the people who lived at a greater distance. We

<sup>1</sup> In 1827 Niebuhr had remarked, "We shall probably soon learn more particulars about it from the fragments of Diodorus, lately discovered by Mai, if they are really new."

<sup>2</sup> See above, p. 412.

do not know which nations were the first that resolved to take up arms; but it is said that in the year 662, in the tribuneship of M. Livius Drusus, it had been the intention of the Latins during the celebration of the *Feriae Latinae*, to put the Roman senate and the consuls, especially Philippus, to death.<sup>3</sup> The plan was, on that occasion, to throw Rome into a state of anarchy, and then to put to death as many persons as they could. All the Roman magistrates (*συναρχία*), the consuls, praetors, and even the tribunes of the people were present at that festival, so that only a young noble, under the title of *praefectus urbi Latinarum causa*, remained behind at Rome. Now as the Latins appeared at this festival in great numbers, it is very probable that they had this intention, especially the Tiburtines and Praenestines; but it may also be that so many Italicans flocked to the festival, that they considered themselves alone sufficiently numerous to carry out the plan. Drusus heard of this fearful scheme, and informed the consuls of it,<sup>4</sup> for even if he had not been a man of honour, he was a Roman, and what he wanted to do for the allies was at the same time intended to strengthen Rome. After the murder of Drusus, the Italicans did not conceal their unbounded exasperation: they formed an association among themselves, and secured their mutual fidelity by giving hostages to one another. But the Romans sent commissioners with proconsular power to Picenum, where the ferment was greatest, in order to keep the allies within the bounds of their duty, as they called it, and to thwart their undertaking. There was at this time a day of assembly of the Picentians at Asculum, and on this occasion the proconsul Q. Servilius Caepio came forward with his legate Fonteius (I do not recollect his praenomen<sup>5</sup>), to address the assembly, and deter them by threats and admonition from

their undertaking; but the feelings of the Picentians were so irritated, that a word heedlessly uttered provoked them to open insurrection, and Caepio and his legate were murdered in the theatre of Asculum. The Italicans, who had at first only wished to obtain the Roman franchise, were now bent upon destroying Rome, and establishing an Italian republic, of which they themselves were to be the centre. The exasperation at Asculum rose to such a pitch, that all the Romans who happened to be in the place were seized and put to death.<sup>6</sup>

The insurrection now broke out everywhere, but apparently not everywhere with the same cruelty as among the Picentians; and it is highly probable that such nations as the Marsians, who were not inferior to the Romans in point of civilization, did not make themselves guilty of such atrocities as the Picentians, who were a cowardly and contemptible people. In the Epitome of the seventy-second book of Livy and in Orosius, the following people are mentioned as having then revolted:—the Picentians, Vestinians, Marsians, Pelignians, Marucini, Samnites, and Lucanians. Appian<sup>7</sup> adds the Apulians; and they were indeed in arms, but it is not probable that they had any share in the Italian state. All the peoples of whom the state was to consist, were Sabelians, or Sabine colonies; the others, like the Apulians, who belonged to the Oscan race, joined them merely out of hostility towards Rome. Some of the

<sup>6</sup> I will here make a remark merely because I want to mention to you a conjecture which I have made. In one of the newly discovered fragments of Diodorus (p. 129, ed. Dindorf.) we read a little story, according to which a clown, who was a great favourite among the Romans, happened to appear in the games at Asculum. The people, thinking that he was a Roman, wanted to kill him, and he saved himself only by proving that he was a Latin. His name, according to my conjecture, was not Saunio, but Sannio, the ancient name for Pulcinella; and this is the most ancient mention of the mask.—N. In the Eunuchus of Terence and in the Adelphi, the name indeed occurs, but not in its later character.

<sup>7</sup> *De Bell. Civil.* i. 39. Compare also Diodorus, xxxvii. *Eclog.* i, p. 538, foll.

<sup>3</sup> Florus, iii. 18.

<sup>4</sup> Aur. Victor, *De Vir Illustr.* 66.

<sup>5</sup> The praenomen is not certain. Comp. Orelli, *Onom. Tull.* s. v. p. 256.

places on the gulf of Naples likewise rose in arms; but of the Latin colonies, Venusia alone joined the insurgents. Afterwards the Umbrians also were in arms, and for a short time even the Etruscans; but they too did not belong to the new republic.

These confederate Italian nations are said by Diodorus, who alone has preserved this fact, to have established a senate of five hundred, and to have appointed two annual consuls and twelve praetors, thus imitating the forms of the Roman senate and magistrates. Their first consuls were Q. Poppaedi Silo, a Marsian, and C. Papius Mutilus, a Sabine. Poppaedi was the soul of the whole undertaking, and had been a friend of Livius Drusus, with whom he had carried on the negotiations peaceably, but he was now determined to obtain his objects by force. The senate of five hundred was entrusted with the care of providing the armies with all that was necessary. Among themselves, these nations were actuated by very different feelings: they had been isolated for centuries, each having stood by itself, and even now that they were making themselves independent of Rome, the temptation must have been great to remain independent of one another. The Samnites still bore their old grudge against Rome: hence the implacable hatred of Pontius Telesinus, who declared in the battle at the Colline Gate, that, unless the den of the wolf was destroyed, Italy could never be safe against her ravages.<sup>8</sup> He probably belonged to the gens of C. Pontius, who is so prominent in the second Samnite war, and so fearfully humbled the Romans at Caudium. The Marsians, on the other hand, had never been engaged in any fierce or long war with the Romans, as the Romans had always faithfully observed honourable conditions towards them. The Marsians and Samnites accordingly were still as heterogeneous as before: they also differed from each other in language; the Marsians spoke Oscan, but in writing they used the

Latin characters. The Samnites used the Oscan language, because the ruling class among them were Sabines. The Marsians and their confederates were much purer Sabines; although in a wider sense they were all Sabines. We still possess coins with the portrait of C. Papius Mutilus. The seat of the Italian government was Corfinium, in the country of the Pelignians, a small but brave people, and its name was changed into Italica. There still exist many denarii with the inscription *Italia* or *Vitellii*, the latter or Oscan mode of spelling being probably Samnite, while the Latin form *Italia* is that of the Marsians. It is not improbable that here, too, the differences among the confederates had their influence.

When the war broke out, the advantage was decidedly on the part of the allies; and the only thing which saved Rome was the fact, that the Latin colonies remained faithful to her; for there can be no doubt that immediately after the commencement of the war, the Romans made up their minds to grant to them all the rights of Roman citizens.<sup>9</sup> This was effected by the *lex Julia*, proposed by the consul L. Julius Caesar, which is so often spoken of in works on Jurisprudence. It is a very common but erroneous opinion that the *lex Julia* conferred the privileges of Roman citizens upon the Italicans, who, in fact, never acquired those privileges by any one law, but gained them successively by several laws: unfortunately we do not know the details. It is quite certain that the *lex Julia* affected the Latins only; its benefits extended over from forty to fifty Latin colonies, and not only to such as were established in Italy, but also to Narbo and Aquae Sextiae in Gallia Narbonensis. The former is afterwards mentioned as a *colonia civium Romanorum*. The old Latin towns of Tibur and Praeneste also, and all the other parts of Latium which had not received the full franchise in 417,<sup>10</sup> were unquestionably in-

<sup>9</sup> Appian, *De Bell. Civ.* i. 49; Cicero, *pro Balbo*, 8; Gellius, iv. 4.

<sup>10</sup> See p. 259 of these Lectures.

<sup>8</sup> Vell. Pat. ii. 27.

cluded among the places which now received it. We may further take it for granted that it was bestowed upon the Hernican towns, and perhaps also on those places which, until then, had been *præfecturæ*, such as Venafrum, Atina, and several others. This prudent law greatly increased the number of Roman citizens; for even in the Hannibalian war the number of Latin soldiers amounted to 80,000, all of whom spoke Latin, and were more or less mixed up with the Romans. Here then the Romans had a people on whom they could rely, and it is only to be lamented that the rights of Roman citizens had not been granted to them before. Had Rome been stubborn towards the Latins, it would have been lost. This granting of the franchise to the Latins belongs to the beginning of the year.

Although Hiero had said that the Romans used only Italian troops, yet they now carried on the war with soldiers drawn from all quarters. Hence we find in the Roman armies Gauls, Mauretanians, Numidians, and Asiatics, in short every place had to send its contingent, so that in point of numbers the Italicans were surpassed by the Romans. Another very great advantage possessed by Rome was its central position and its colonies, which, being scattered all over Italy, divided the countries of the enemy, separating the north from the south, and obliged them to leave everywhere strong garrisons as protections against those colonies.

If we had sufficient materials, I might describe to you this war in such a manner as to lay before you the great masses into which it must be divided. Our principal authorities are Diodorus and Appian. I have taken much trouble about this war and endeavoured to arrange the materials; but I have succeeded only very imperfectly in forming a clear conception of the whole. I will, therefore, give you only brief outlines. The scene of the war must be divided into three regions: the southern, the middle, and the northern. The southern field of the allies' operations was Campania as far

as the river Liris; the middle comprised the banks of the Liris and the country of the Sabines as far as Picecum; and the northern was in Picecum itself, which formed the boundary of the operations. The Greek cities in the rear of the Italicans remained indifferent. The Bruttians are not mentioned in this war, a circumstance which shews how nearly they must have been annihilated in the Hannibalian war. The Messapians also are not named, probably because they had become completely Hellenised. The colony of Venusia, as I have already observed, joined the allies, for its population had become almost entirely Apulian and Lucanian. The army of the south was under the command of C. Papius Mutilus, and was opposed by the Romans under the consul L. Julius Caesar. Mutilus conquered a number of towns, Nola, Nuceria, Pompeii, Stabiae, and transferred the scene of war to Campania; but Capua was maintained by the Romans; Naples and the Greek towns remained faithful, and acted as if the war did not concern them at all. The contest became concentrated around Acerræ.<sup>11</sup> Towards the close of the year the advantage was still on the side of the allies.

P. Rutilius Lupus commanded the middle army, and was opposed by Poppædus or Pompaedius Silo, who displayed the qualities of a very great general. The Roman consul, Rutilius Lupus, was personally by no means able to cope with him, and lost his life in battle. Marius and Sulla served as lieutenant-generals in that army, which formed the main body of the Roman forces; and Rome had to thank these men alone for checking the progress of the enemy. Aesernia, a Latin colony in the heart of Samnium, was conquered by the Samnites after a vigorous defence, and not until it was compelled to surrender by the most fearful famine. Its citizens relied too much on the good fortune of the Roman arms; but their resistance shows the hatred existing in those

<sup>11</sup> Appian, *De Bell. Civil.* i. 42.



colonies against the Italicans. There can be no doubt that the Samnites had previously offered the people of Aesernia a free departure. The first Roman who gained a brilliant advantage was Cn. Pompeius Strabo, who conducted the war as proconsul in Picenum. He was the father of Pompey, surnamed the Great, and then held the office of *praetor proconsulari potestate*; although he was marked by all the profligacy of the times, he was nevertheless a distinguished general. He defeated the Picentians in a battle in which 75,000 Italicans and 65,000 Romans fought, near Asculum.<sup>12</sup> The Romans gained a decided victory; Asculum was taken by the sword, and the fate of its inhabitants was fearful. The Picentians in general had to endure the severest punishments. Pompeius now penetrated into the country of the enemy from the north; and some of the allies, having lost their confidence in fortune, already began to abandon the cause of their friends, not being able to maintain themselves from want of unity. The first who did so were the Vestinians; and the Romans, perceiving this wavering spirit, tried to gain their antagonists over, by granting peace and the Roman franchise to those who were willing to lay down their arms. On what conditions the franchise was given in these cases is not known; but what these allies received must have been more than the mere *civitas sine suffragio*, for we afterwards hear of disputes as to the real meaning of the franchise of these people; and it would seem that the Romans purposely avoided being explicit and distinct in their concessions. Velleius Paterculus, who, whatever may be said against him, is an ingenious writer and master of his subject, says<sup>13</sup> that in this war upwards of 300,000 Italicans lost their lives, and that the Romans did not grant them the franchise until they had lost their life-blood. We may, therefore, suppose that half the men engaged on both sides fell, and

that the contest was carried on with the greatest fury, just as in a civil war, whence Appian, in fact, relates its history among the civil wars.

The course of the war during the second year can be traced with even less accuracy than during the first. This much only is certain, that the northern Sabellians, the Marsians, Pelignians, and Marrucinians, had, like the Vestinians, concluded a separate peace for themselves, and that, perhaps, even at the end of the first year. After their abandonment of the cause of the Italicans, the seat of the Italian government was removed to Aesernia, and Italica again received its old name, Corfinium.

The Samnites now formed the centre of the war, which they carried on with the same perseverance as in former times, at least, the three cantons of the Hirpinians, Caudines, and Pentrians; they would not hear of peace, and an immense number of battles was fought. The Romans, in their usual way, marched into Apulia and completely surrounded the Samnites, so that at the close of the year 663 the war was very near its decision. The Samnites, indeed, still maintained themselves; but, besides them, only a part of the Apulians and Lucanians continued to be in arms, and these people persevered only out of despair. They either reckoned upon the movements of Mithridates in Asia,<sup>14</sup> or they were determined to perish sword in hand.

In the course of the second year the Umbrians and Etruscans also took up arms, but soon became reconciled to the Romans: their insurrection had quite a different character from that of the Italicans. A Roman praetor conquered the Etruscans, and the franchise was immediately granted to them. Formerly the Etruscans had furnished no troops to the Roman armies, but now they were ready to take up arms in defence of an honour to which hitherto they had attached no value. The ambition of the noble Romans obtained very dangerous rivals

<sup>12</sup> Appian, *l. c.* 48; Vell. Paterc. ii. 21.  
<sup>13</sup> ii. 15.

<sup>14</sup> Diodorus, xxxvii. *Eclog.* i. p. 538, foll.

in the Marsians ; while the Etruscans, as foreigners, were quite distinct from the Romans, and had therefore much less prospect of obtaining any of the high offices at Rome. The Marsians did not differ from the Romans more than, for example, the inhabitants of lower from those of upper Germany, and therefore readily united with the Romans. But the Etruscans and Romans were quite distinct, standing to each other in the same relation as exists between the French or Slavo-

nians and the Germans, and hence it was less repugnant to the feelings of the proud Romans to grant the rights of equality to the Etruscans, than to the Marsians and others. The Samnites, as of old, were bent upon the destruction of Rome. The history, as I have related it here, is not contained in any ancient author ; it can only be gathered from a careful examination of the circumstances—a source of information which is too much neglected.

## LECTURE XCVII.

THE Italian war raised the fame of Sulla to the highest pitch, and his ill feeling and hostility against Marius now showed themselves clearly. In the year 664 he was elected consul ; he was then forty-nine years old,<sup>1</sup> while Marius was upwards of seventy. Sulla therefore belonged to quite a different generation, and this circumstance completed the mutual aversion which existed between them. While the former was a man of noble birth, the latter was a soldier, who had risen by his talents and by fortune. Sulla was a very original character, and it is difficult to pronounce a brief and definite opinion on him. He was a great general, and intimately acquainted with Greek literature ; he spoke and wrote Greek in a masterly manner, and entertained the greatest partiality for Greek refinements and for Greeks of literary pursuits. In the war against Jugurtha he had distinguished himself as the quaestor of Marius, and had taken a prominent part in the transactions with king Bocchus. He therefore looked upon the termination of that war as his own work. Fortune accompanied him everywhere. He himself attached much weight to this fact ; and it was this good fortune which especially drew the attention of the people towards him. It is not, indeed,

an idle dream that certain men are always, or for a long time, favoured by fortune. He had also distinguished himself in the Cimbrian war, but still more in that against the Italicans, in which he far eclipsed the fame of Marius ; and it may be said that in that war he was the only Roman who displayed brilliant qualities. He belonged to the illustrious gens of the Corneli, and was in the sixth degree a descendant of P. Cornelius Rufinus, who acquired fame in the war against Pyrrhus ; the family, however, to which he belonged,<sup>2</sup> was not illustrious, and was even poor. Hence he rose amid great difficulties, just as if he had belonged to an obscure family ; the bond which had existed among the patricians had ceased to exist, so that the Scipios and the Lentuli were of no use to him. Marius was under the influence of the sad feeling which must be particularly painful to an old man, that the rising sun outshone him, and made him invisible. The extraordinary qualities of Sulla called forth in Marius a spirit of opposition and envy, and this again excited in Sulla a resistance which produced a mutual aversion, of which no doubt Marius

<sup>2</sup> Gronovius correctly explains the name Sulla from *Sura*, *Sarula*, contracted *Sulla*, an apparent diminutive, but with the meaning of a primitive. *Sura* is an agnomen of the Lentuli and others.—N.

was the originator. We know that Marius endeavoured to keep his rival down, even at the time of the war against Jugurtha; and a man like Sulla must have owned to himself that he would have done the same, if he had been in the place of Marius. Thus the old man, by his wish to crush the younger, gave rise to the bitter feelings which afterwards vented themselves in so fatal a manner.

Marius, notwithstanding his advanced age, was insatiable in his ambition and his love of power, and he was now anxious to obtain the command in the war against Mithridates, which had been given to Sulla, the consul of the year. As I have been led by circumstances to mention this war, I will here relate its origin. The cause of it was, as far as Mithridates was concerned, most just; whereas the conduct of the Romans was the most glaring injustice. The kings of Pontus probably belonged to one of the seven great families of the Persians, which alone had freedom, and being in a measure *sacrosancti*, had maintained their government as satraps over those parts ever since the time of the kings of Persia. The first of the family who is known, is probably the Ariobarzanes who was governor of those districts in the reign of Occhus; and the ancestors of Mithridates had therefore been powerful, and in possession of Pontus at a very early time.<sup>3</sup> The nation consisted of Syrians, though the mass of the population must originally have been Armenians until the mighty empire of Assyria sent its colonies into those quarters, where they were called Leucosyrians. The kingdoms of Pontus and Cappadocia had been left untouched by Alexander of Macedonia; and it was only under his successors that they were drawn into the Macedonian wars. The son of the then governor, Mithridates, who assumed the rank of a tributary prince, escaped the envy of Antiochus the one-eyed, through the influence of his son, Demetrius Polior-

cetes. Those countries were afterwards strengthened, so that as early as the fifth century of Rome their governors styled themselves kings. During the long wars of Alexander's successors, especially between the Syrian kings and Egypt, they became completely consolidated, but subsequently they were divided into two kingdoms, Cappadocia and Pontus (in its narrower sense), which were governed either by members of the same dynasty, or at least by Persian families. This division existed about the year 620, when a Mithridates ruled over Pontus Proper, and a part of Paphlagonia, and not only afforded the Romans considerable assistance against Aristonicus, but sent galleys even against Carthage. The Romans had rewarded him, as they said, with Great Phrygia, which until then had belonged to the kingdom of Pergamus; but from a fragment of a speech by C. Gracchus,<sup>4</sup> we see that he bought it at Rome with his own money. The kingdom had thus acquired a great extent; its power and resources were considerable, and on a quite different scale from what we should so designate in our poor Europe. Asia accordingly was then divided into the large kingdom of Pontus, Bithynia, which was smaller, the Roman province, Cappadocia, and the sea coasts, where Cilicia, Caria, Pamphylia, and a number of other small independent states existed in a chaotic condition.

Mithridates left these dominions to his son, Mithridates VI., justly surnamed the Great, who was yet under age; and the Romans, we know not why, unceremoniously took Great Phrygia from him.<sup>5</sup> But the young monarch, in whom an implacable desire for revenge had thus been roused, shewed a great mind while he was growing up, preparing himself quietly, and endeavouring to extend his dominions, wherever he could do so without coming in contact with the Romans; for among many unusual qualities he had an extraordinary talent for dissimulation. He subdued the

<sup>3</sup> Appian, *De Bello Mithrid.* 8 and 9; Florus, iii. 5.

<sup>4</sup> In Gellius, xi. 10.

<sup>5</sup> Appian, *De Bell. Mithrid.* 13.

Cimmerian Bosphorus, and the Crimea, so that in the end his empire extended as far as the Ukraine and the river Dnieper. It might seem wonderful that the Romans did not interfere to check his progress; but Mithridates availed himself of the favourable time during which the Romans were at war with their allies. But the fact of the Romans being nevertheless fully aware of what was going on, shews that nothing escaped their notice. An opportunity soon offered of making himself master of Cappadocia also. Disputes had there arisen about the succession, the person who then occupied the throne being declared supposititious, and Mithridates gave the throne to Ariarathes, his son or brother. This provoked the Romans, and they set up an opposing king against him. Ever since Mithridates had come of age, he had done all he could to collect a fleet and a large army, evidently with the intention of using them against Rome. He calculated that the war which was raging in Italy would weaken the Romans, and he was no doubt in connection with the Italian allies. But his preparations were not completed at the right time, and this circumstance, as had been the case so often, saved Rome from an imminent danger. Had he commenced the affair two years earlier, at the beginning of the Social war, that war might have taken a different turn. He trusted too much in the success of the Italicans, and believed that they would make his conquests all the easier.

Rome meantime recovered from the Marsian war, which was continued only with feeble efforts. In the second year of the war the Romans had sent commissioners to Asia to dictate laws to Mithridates, and this may have made an imposing impression upon him; for however low the Romans had sunk morally, politically they were as great as ever. Although they were most alarmingly threatened in Italy, yet they did not lose sight of Asia. In the mean time Mithridates supported the undertaking of a brother of Nicomedes, king of Bithynia, in whose

contemptible family parricide and ratricide were things of common occurrence. Nicomedes was expelled, and Mithridates became the ally of the new king; but still he allowed himself to be so far intimidated by the Romans as to allow the restoration of Nicomedes in Bithynia, and of Ariobarzanes in Cappadocia, though without giving up his plans of revenge. The Romans might still have avoided the war for a long time, if they had wished it; the government undoubtedly did wish it, but the individual governors, who hoped for booty, would not hear of peace, and compelled Nicomedes to commence hostilities against Mithridates that they might have a pretext for coming to his assistance. Cappadocia was not allied with the Romans, and Nicomedes had had forebodings that matters would not turn out well for him. Mithridates naturally took vengeance by invading Bithynia: he defeated the king and restored Nicomedes' brother, as a pretender against him. The Roman senate now openly interfered, and spoke to the Pontic king in a tone which implied that he had been the aggressor; they demanded that he should cease all hostilities against Bithynia, and recognise the king of Cappadocia whom they patronised. Nothing could be more unjust. Mithridates bitterly complained of the injustice, alluding also to their having taken Phrygia from him. In the meantime the war in Italy was almost decided, the Samnites and Nolanians alone being in arms, the rest having obtained the franchise. The Romans, however, were so exhausted that the war happened inconveniently for them. They collected three armies, in which there were scarcely any Romans,<sup>6</sup> but which were for the most part composed of the effeminate inhabitants of Asia Minor. They were to act against the well-disciplined troops of Mithridates, and the issue of the undertaking accordingly was such as it deserved to be. Two Roman armies were completely defeated, and the king met with scarcely any resistance to his

<sup>6</sup> Appian, *l. c.* 17.



progress; he conquered Bithynia, restored his son to the throne of Cappadocia, and subdued the whole Roman province of Asia, all the inhabitants of which enthusiastically received him as their deliverer. The rage against the Romans there was so great, that all the places in Asia Minor, which were quite Hellenised, and considered the war to be at an end, in one day murdered all the Romans and Italicans that were staying among them, in order to give to Mithridates a proof of their fidelity. The number is stated to have been 70,000,<sup>7</sup> which is almost incredible, as it was chiefly wealthy persons and merchants who resided there. The massacre was perpetrated with the greatest cruelty. Thus perished the numerous usurers and leeches of the country, who after the destructive wars of Aristonicus had extorted the highest interest from the poor people, and under the protection of the Roman governors indulged in every crime, and levied taxes and duties with unbounded tyranny. Nearly the whole continent of Asia Minor recognised Mithridates as their sovereign, and some of the maritime towns likewise submitted to him. As he had received a Greek education, he had rejected the doctrine of the Magi (no trace of this religion is found in his history except on coins where the sun and moon appear), and the Greeks looked upon him as a Greek, and placed all their hopes in him. This induced him to advance even into Greece, and he was everywhere received with joy. Athens allowed itself to be persuaded by a sophist Aristion to open its gates to him; the consequence of which was that the sophist himself usurped the government.<sup>8</sup> Peloponnesus and Boeotia, in short nearly the whole of Greece, submitted to Mithridates; Mitylene and Chios were wavering; Cyzicus and the Rhodians alone remained faithful to Rome. The latter foresaw the issue of the war, and were actuated only by

prudence, endeavouring by a steady fidelity to make amends for the fault they had committed in the eyes of the Romans, during the war with Perseus; for they could not possibly feel any attachment to Rome. Mithridates occupied the whole of the Roman province as far as Magnesia, and besieged Rhodes. These occurrences excited enormous indignation at Rome, and the determination to carry on the war in good earnest. But the dispute as to who was to have the command occasioned the first civil war.

The senate, in whose power it was, according to the Sempronian law, to appoint a general for conducting the war, gave the command to Sulla. Marius, who could not keep up his great name by distinguishing himself in time of peace, and was impelled by his irresistible desire to humble his adversary, likewise endeavoured to obtain the command. Twelve years had elapsed since his triumph; he had grown old, and sunk in public opinion. He may still have been an able general, although in the Social war he had distinguished himself only once. The older he grew, the more he sank morally, and he no longer possessed the great qualities which had formerly concealed his faults. However, he still had a party, and was still the man whom the anti-aristocrats put forward as their champion. We must not, however, believe that all the commotions of that time proceeded from party spirit, but all things assumed more and more a personal character.

When Sulla entered upon the consulship, no one appears to have thought that the republic was threatened by an internal war. Before taking the field against Mithridates, he wanted to bring the war in Italy to a close. Nola was still defending itself: we know not by what means. This part of the Social war is called *bellum Nolanum*, just as its beginning is called *bellum Marsicum*. The *bellum Nolanum* was chiefly sustained by the Samnites who were still in arms; but it was rather an insurrection than a war, for there was no large army. It was one of Sulla's great qualities that

<sup>7</sup> Appian, *l. c.* 22, 23.

<sup>8</sup> Appian, *l. c.* 28, &c. Plutarch, *Sulla*, 13; Athenæus, v. p. 211, foll.

he never abandoned a great undertaking which he had once entered upon, whatever inducements there might be to do so; and in this case the Mithridatic war, which was already breaking out, did not induce him to withdraw from Nola. While Sulla was still engaged there, P. Sulpicius, the same who in Cicero's work, "*De Oratore*," as a young man takes part in the conversation, was tribune of the people at Rome. Whatever may have induced this young man of noble family to take such false steps—it was probably personal hatred of Sulla—he was the cause of Rome's misfortunes. He made the proposal that the command against Mithridates should be given to Marius, as the people, said he, had (according to the Hortensian law) the right to decide, even although the senate should have already distributed the provinces. At the same time he proposed that the new citizens, by whom we have to understand the Latins, Etruscans, and Umbrians, should be distributed among the old tribes, although it was intended to form them into new tribes. For the new tribes were to vote after the old ones, just as the *tribus urbanae* voted after the *tribus rusticae*, whereby they would have lost much importance, for the *praerogativa* was of great weight. The new citizens indeed possessed the suffrage, but they recognised it as a mockery to obtain a right which, in nine times out of ten, they would not be even called upon to exercise, because the old Roman tribes in most cases quite agreed in their votes; for as soon as the majority of votes was ascertained the voting ceased. It was an extremely rare case that eighteen voted against seventeen. The proposal of Sulpicius, therefore, was on the one hand an injustice towards the old citizens; but Velleius Paterculus represents the matter in too bad a light; for as most people belonging to the *tribus rusticae* lived at a distance, and did not come to the city at all, and as the *libertini* who resided in the city had succeeded in getting registered in the *tribus rusticae*, the proposed plan must, after all, be called an essential

improvement. Much, therefore, might be said for and against it.

It is inconceivable to me that this Sulpicius, whom Cicero loved so tenderly, should have deserved the severe censure passed upon him by Appian and Plutarch. That his conduct towards Sulla is unjustifiable requires no proof; nor can we say that he acted from pure motives. According to Cicero<sup>9</sup> he was highly educated, and a man of the most brilliant genius. It is true, that a man ever so great may be placed in circumstances in which he would act in the way that Sulpicius did; but I cannot believe that Cicero, even from youthful recollections, would have spoken so favourably of him, especially if we consider how he elsewhere expresses himself of the democrats, had he seen his actions in the light in which they appeared to Greek writers. Cicero also admires him for his talent as an orator, and he had heard him in his youth. We must further remember that the memoirs of Sulla were almost the only source from which those Greek writers derived their information; and that Sulla should speak of him in a derogatory manner cannot be surprising. This circumstance should put us on our guard in receiving such statements. Sulla was naturally exasperated in the highest degree at this injustice; and his resistance to it is a circumstance which, however formidable its consequences were, must not be censured too severely, if we consider the spirit of the times.

The old citizens, for here we can no longer speak of aristocrats and democrats, opposed the proposals of Sulpicius. He invited a number of new citizens to come to Rome, in order to carry his schemes by main force. But as the bill concerning the command in the Mithridatic war was one of the things affected by them, Sulla made up his mind to interfere, arms in hand. In former times, a Fabius Maximus Rullianus would have submitted to necessity, but those times were gone. Sulla resisted because he knew that Sulpicius and his associates would not

<sup>9</sup> *Brutus*, 55, and several other passages.

stop short there, but aim at his life, for such was the spirit of the times. He assembled his army at Nola, and told the men that Marius would form a new army and disband them, so that they would have no share in the profitable war, and would be disgraced. They therefore unanimously resolved to follow him to Rome. He took six legions, and marched with them along the Via Appia against the city. The senate, which was swayed by Sulpicius, was alarmed at the approach of an army, and sent ambassadors to ask what Sulla wanted. He returned an evasive answer, but advanced, and was joined by his colleague Cn. Octavius. Marius and Sulpicius had indeed made preparations to defend themselves, but they were insufficient, Rome not being a fortress; the eastern suburbs, the most splendid portion of the city, were quite open. The gates were closed against Sulla, but this was of no use; houses had been built close up to the walls, as in the old towns of our own country; and the walls themselves were in some parts so much decayed that it was easy to step over them from the suburbs. In the Hannibalian war, it had still been possible to defend Rome; but now, after an interval of more than a century, when fortifications had ceased to be thought necessary, a great part of the city lay open, and the rest could not be defended. Marius did not attempt to defend the gates, but withdrew to the interior of the city. An engagement took place in the Carinae. Sulla with his superior numbers thus entered the city without any difficulty, and marched down the Via Sacra to the Forum, so that all his opponents dispersed.

Sulla used his victory with moderation, which shews him at that time in a favorable light. Marius with his son, Sulpicius, and nine others of his followers who had fled, were outlawed, but Sulpicius was overtaken and killed; besides him only two or three others were put to death. Marius with his son fled to Ostia, and thence southward along the sea-coast. At Terracina, which he reached by a boat, he was in the greatest danger of being

delivered up to his enemy. Thence he went to the Liris and Minturnae, where he was found concealed in the marshes in the neighbourhood, and thrown into prison. The magistrates of Minturnae, not venturing to put him to death, sent a public slave to kill him, for a price had been set upon his head. But the barbarian, a captive Cimbrian, was daunted by the sight of the aged warrior, and recognising in him his own conqueror, took to flight, loudly exclaiming about the changeableness of fortune. As fortune on this occasion seemed to declare in Marius' favour, the decurions sent him off in a boat. He first sailed to Ischia, and thence to Africa, where during the subsequent tumultuous period he dwelt amid the ruins of Carthage, forgotten and overlooked. At that time there either was no governor in Africa, or he belonged to the party of Marius. No one thought of saving himself by going to Mithridates.

Sulla used his victory with such moderation, that he contented himself with making some peaceful regulations, the particulars of which are not known. He was so far from tyrannical, that he even allowed the election of the consuls for the following year to take place without any interference on his part. The men who obtained the consulship belonged to different parties: Cn. Octavius, perhaps a son of the tribune M. Octavius, to that of Sulla, and L. Cornelius Cinna to that of Marius. It may seem strange to find that Cinna and L. Valerius Flaccus, although descended of noble patrician families, were now at the head of the demagogues; but this is another proof that the division into patricians and plebeians was then forgotten. Towards the end of the year, when Sulla thought that he had made all the necessary arrangements, and saw that the war against the Samnites might yet last for a long time, he went over to Greece, and there carried on the war against Archelaus, who commanded the army of Mithridates, and about whom I shall say more hereafter.

The senate in the meantime gave to

Q. Pompeius Rufus, the colleague of Sulla in the consulship, Italy as his province for the following year, that he might counteract Cinna, support Cn. Octavius, and bring the Social war to a close. Cn. Pompeius Strabo, the father of Pompey the Great, was at this time still commanding his army on the coast of the Adriatic and in Apulia. Of this man, Cicero says: *homo diis nobilitatque perinde inuisus*, for no one was so generally hated: he possessed more malice and artfulness than we can conceive, and in this respect resembled the men of the fifteenth and sixteenth century, especially in Italy. He cared about no party, and only calculated how in the end he might gain the greatest power from the general confusion. The senate ordered him to resign the command of his army to Q. Pompeius; he pretended to be quite willing to do so; but in secret incited his troops against Quintus, and while the latter was administering to them their military oath, he was murdered by them.<sup>10</sup> Cn. Pompeius Strabo assumed the appearance of intending to institute an investigation of the matter, but allowed himself to be prevailed upon by the soldiers to resume the command—a farce like that in Spanish South America with Bolivar and the like. He then wrote to the senate of the misfortune which had befallen him, and begged to be confirmed in his command, that he might be able to institute an inquiry, and as far as possible provide for the good of the republic. The senate was weak enough to grant his request; but he soon forgot the investigation. He was now at the head of the army in Italy, and waited for what might happen. As Sulla had led his army into Greece, the Samnites had again obtained breathing time.

But this state of tranquillity did not last long, for early in the year following (665) the rupture between Cinna and Cn. Octavius became complete. The Romans had adopted the system of forming new tribes to contain the new citizens; for, if they had distributed them among the existing tribes,

the new citizens would, on all occasions, have far outvoted the Romans, and the old citizens would have sunk into insignificance.<sup>11</sup> To prevent the old citizens being completely overruled by the new ones, it was necessary to follow the plan which had been adopted in earlier times with regard to the Volscians and others. Respecting the number of the new tribes which were added to the thirty-five old ones, we have two different accounts; the one in Velleius Paterculus, the other in Appian. The former states their number to have been eight; but in Appian we read δεκατεύοντες ἀπέφηναν ἑτέρας (viz., φυλάς). The word δεκατεύοντες in this passage is an absurdity, and has been changed into δέκα φυλάς; but then δέκα ἐξ αὐτῶν would more likely have been written. I believe that we must read δέκα πέντε ἀπέφηναν ἑτέρας. What induces me to make this conjecture is a feeling of symmetry. If fifteen new tribes were added, the total number was fifty, against which number nothing can be said. Thirty-five was a very awkward number, but had been made up gradually without any intention of stopping there. Moreover, the number 15 bears the same ratio to 35 that 3 bears to 7; thus the number of the fifteen new tribes is a little less than half the number of the old ones. The different statement of Velleius presents, in my opinion, no difficulties; and I account for it by the supposition that at first the Latins were formed into eight new tribes, to which afterwards seven others were added, which were formed of Etruscans and Umbrians. The custom at Rome henceforth was that the fifteen new tribes did not give their votes until the old ones had given theirs. P. Sulpicius had promised the new citizens that they should be distributed among the old tribes,<sup>12</sup> which was a manifest injustice towards the latter. Most of the *Romani rustici* lived at a great distance from the city; and it was an important advantage to those who lived in the city to be inscribed in the rustic tribes.

<sup>10</sup> Appian, *De Bell. Civil.* i. 63; Vell. Pat. i. 20.

<sup>11</sup> Appian, *De Bell. Civil.* i. 49; Vell. Pat. ii. 20.

<sup>12</sup> Livy, *Epit.* 77; Appian, *l. c.* i. 55.



## LECTURE XCVIII.

THE discussion about the franchise in Italy called forth different interests among the Latins, Italicans, and Etruscans. Cinna, who evidently aimed at sovereign power, came forward as the avowed head of the Marian party, and in order to win over the Italicans, he offered to distribute them among the old tribes. The Samnites were still in arms, hoping either to conquer Rome or to remain independent, whence they would not accept the franchise. This, however, alienated them from the rest who were anxious to obtain it. The divisions among the Italicans were almost as great as those among the parties at Rome. The party of Cinna consisted of the old Latin towns from Tibur to Capua, comprising Tibur, Praeneste, the towns of the Hernicans, and several places between the Liris and Vulsturnus. He demanded that the tribes formed out of these places should be dissolved, and be distributed among the thirty-five old ones.<sup>1</sup> I cannot conceive why Sulla did not adopt this very same measure, as it was the only method of forming a strong and powerful aristocracy amid the democracy; but perhaps he liked best the shadows of the old tribes. Multitudes of the new citizens now flocked to Rome in order to carry Cinna's measure by their superiority in numbers. Cinna's colleague, Cn. Octavius, declared against it, and a fierce contest arose within the city, in which Cinna was defeated, and many of the new citizens fell. The statement that 10,000 new citizens were killed in this struggle is exaggerated, and cannot be believed. The senate now had the courage to come forward against Cinna, but committed an illegal act in declaring, by a *senatusconsultum*, the consular

dignity of Cinna to be forfeited. Such a power might in former times have been exercised by the curies and centuries, but never by the senate alone; the decree was in fact void, unless it was sanctioned by the people. Matters, it is true, had gone so far that the sovereignty of the people could no longer be recognised but in form; at all events the proceeding of the senate was revolutionary.

The war against the Samnites was still carried on in the neighbourhood of Nola, and a Roman army, which cannot have been equal to that of the Samnites, was besieging that city. Thither Cinna now repaired, and bribed both the officers and the soldiers, who had learned from Sulla that they held the fate of the republic in their hands; they supported him, and requested him to re-assume the ensigns of the consular dignity, and to lead them against Rome to humble the pride of the oligarchs. This he did. A truce must have been concluded with the Samnites. In order to raise his and his party's authority, he invited the aged Marius and other exiles to return. Marius sailed from Libya to the coast of Etruria, where he formed Etruscan cohorts; for Marius was not at all delicate in collecting troops, and restored all slaves to freedom, on condition of their taking up arms for him. Another exile who was re-called was Q. Sertorius, a man who had joined the party of Marius, chiefly on account of his aversion to the rulers, and who had no share whatever in the tyrannical acts of the demagogues. He is one of the best Romans of those times; he was noble-minded, open, humane, free from the narrow prejudices of his countrymen, and endowed with all the qualities requisite to make a great general. He was in that position in which, at the outbreak of a revolution,

<sup>1</sup> Appian, *De Bell. Civil.* i. 64; Vell. Paterc. ii. 20.

excellent men so often find themselves: they are not aware of what will take place, and in their innocence allow themselves to be led away. Afterwards they cannot get out of the connections into which circumstances have thrown them, and thus they share disgrace and crimes with those by whom they are surrounded. Sertorius was innocent, and kept his hands clear, although he was obliged to witness the horrors which took place at Rome after the victory. We often cannot avoid pronouncing unjust opinions upon men, if we judge of them merely from the observation that they are connected with such or such persons. Sertorius was with Cinna, who advanced with his army from Campania, on the same road which Sulla had taken when he marched against Rome. Carbo, an accomplice of Cinna, who afterwards acquired a great name in those disturbances, joined his army. Marius meantime advanced against Rome from Etruria. The senate had called upon Cn. Pompeius Strabo for assistance, and he had accordingly given up the war on the Adriatic, and proceeded to Rome. Cn. Octavius was encamped on the Janiculum, and Cn. Pompeius at the Colline gate. The conduct of the latter was for a time so suspicious that the senate began to fear treason.<sup>2</sup> At last, however, he commenced an engagement with Cinna, which is much exaggerated in some accounts,<sup>3</sup> but seems in reality to have been only an insignificant skirmish. Its issue, indeed, was advantageous to the rebels; but the senate had at least some guarantee that it was not betrayed by Pompeius. After this a pestilence began to rage in both armies outside the city, by which many thousands were carried off. Cn. Pompeius Strabo fell a victim to it, according to some accounts; but, according to others, he was killed in the camp by a flash of lightning.<sup>4</sup>

The people, rejoiced at his death, gave vent to their exasperation against him, and when his body was carried through the city, tore it from the bier and mutilated it, for he had been the object of general hatred.

One army of the Romans was encamped near Albano, at the foot of Monte Cavo, and was opposed to one of the rebels. Latium, which, after suffering dreadful devastations in the Volscian and Samnite wars, had been in the enjoyment of peace for some centuries, now received its death-blow; and the condition in which we find it under Augustus must be traced to the effects of this war. Marius took Ostia, Antium, Aricia, Lanuvium, and other places, by storm, and laid them waste; Tibur and Praeneste joined him of their own accord. Four camps enclosed the city; and though the rebels were not strong enough to take it by storm, still the effect which they produced in the city was a complete famine. Both the generals and soldiers were so desponding, that at last the senate resorted to negotiations, and the deputies of the senate were obliged to comply with all the demands that were made. Cinna, who had been declared a rebel, was recognised in his dignity of consul, and Marius, as a private person, stood by the side of the curule chair with contemptuous smiles and looks, in which the deputies read their own sentence of death.<sup>5</sup> It was stipulated that no blood should be shed; but Cinna made a very equivocal promise, saying that it should not be done with his will. Cinna then demanded that Merula, who had been appointed consul in his place, should be deposed. This humiliation also the senate seems to have submitted to. The other consul, Octavius, however, would not give way, and with a small band went to the Janiculum, with the senseless idea of defending himself. Towards the end of the year, when the rebels entered the city, the slaughter, of which Marius was the chief cause,

<sup>2</sup> Vell. Paterc. ii. 21; Livy, *Epit.* 79; Appian, *De Bello Civil.* i. 67.

<sup>3</sup> Vell. Paterc. *l. c.*

<sup>4</sup> Compare Livy, *Epit.* 79; Appian, *l. c.* i. 68.

<sup>5</sup> Appian, *l. c.* i. 70.

began. Cn. Octavius was slain, even while Marius and Cinna were entering the city; and the flamen dialis, L. Merula, bled himself to death at the altar of the Capitoline temple, in order to escape a similar fate. Marius now caused himself to be proclaimed consul for the seventh, and Cinna for the second time, without any elections. This was the point after which Marius had always been striving, in order to realise a prophecy which had been made to him, in consequence of an eagle's nest, with seven young ones, having fallen into his lap from an oak tree (Cicero calls it Marius' oak), when he was a child. He had often consoled his friends with his prospect of seven consulships when they began to despair of his fortune; for, as I have already remarked, he was extremely superstitious.<sup>6</sup>

The victory which the rebels had thus gained was followed by the wildest cruelties. Marius had a body-guard of slaves, whom he sent out to murder those whom he wished to get rid of. In this manner all the most distinguished persons of the opposite party, the flower of the senate, were despatched, especially his personal enemies: no reasons were assigned, and no proscription was made; all was done by the simple command of Marius. Among these unhappy victims were the celebrated orators, M. Antonius and Crassus. Q. Catulus, who had been the colleague of Marius in the Cimbrian war, was likewise destined to be killed, but put an end to his own life. Marius' conduct towards him is one of the meanest actions of this unhappy man. There were but few good men with Cinna, such as Sertorius. Marius Gratidianus, too, a cousin of Marius, must not be judged severely; but Cinna, Carbo, and their friends were monsters; whereas the senate was headed by the best educated and noblest characters, if we make due allowance for

the corruption of the age. The butchery was carried on to such an extent that at length even Cinna himself was induced, by the advice of Sertorius, to put to death the band of servile assassins kept by Marius. In the middle of January, on the sixteenth day after Marius had entered on his seventh consulship, he died, apparently in a fit of rage. The shedding of blood now ceased, but not the bitter spirit of the factions,<sup>7</sup> with which, however, we are but little acquainted.

At the time when Cinna was approaching the city with his army, the senate had given Q. Metellus, who was stationed near Nola, full power to conclude peace with the Samnites on whatever terms he might think proper.<sup>8</sup> The Samnites abused the favourable moment, and demanded the Roman franchise, not only for themselves, but also for their allies, the Campanians and Lucanians; and that all their captives and deserters should be given up to them, whereas the Romans were not to have theirs restored to them, but were even to be obliged to confer the franchise upon them.<sup>9</sup> Metellus concluded the peace on these conditions; and the Samnites, by a subsequent law, became Roman citizens. Thenceforth they were the strongest support of the Marian party. The new tribes of the Italicans were now broken up, and their members were distributed among the old tribes; but we do not know whether this was the case with all of them. In whatever manner, however, it may have been done, it gave the new citizens a dangerous numerical preponderance. At the time of Cicero it would seem as if all the Italicans, according to their nationalities, were collectively contained in a tribe; so that *e. g.* the Marsians and their neighbours were contained in the *tribus Sergia*, and all the *municipia* about Arpinum in the *Aemilia*. If this was so, it was, in

<sup>6</sup> It is not improbable that his Syrian prophetess, Martha, may have suggested to him the number *seven*, which was a sacred number among the Jews and Syrians, as *three* was among the Romans.—N.

<sup>7</sup> Appian, *l. c.* i. 75; Vell. Pat. ii. 23; Plutarch, *Marius*, 45.

<sup>8</sup> Appian, *l. c.* i. 68, who, however, gives a somewhat different account.

<sup>9</sup> Dion Cass. *Fragm.* lib. xxvii. No. clxvi.; comp. Appian, *l. c.*

my opinion, one of the changes introduced by Sulla, in order to render their numerical preponderance harmless.

The death of C. Marius was followed by a period of three years, during which Sulla was conducting the war in Achaia and Asia, and Italy was completely in the hands of the party of Cinna, who prepared himself for the war with Sulla. But Cinna made himself more and more hateful by his acts of oppression, and soon found that he had reason to mistrust his own followers, so that he found it necessary to demand hostages, which however were refused. His colleague, L. Valerius Flaccus, the successor of C. Marius, had been commissioned to undertake the war against Mithridates: he had marched through Illyricum, Macedonia, and Greece, to Asia, where he was murdered by C. Flavius Fimbria. In his fourth consulship, Cinna was at Ariminum, forming a numerous army to attack Sulla in Greece—a very sensible plan. But the soldiers refused to embark, and slew Cinna in his camp. Cn. Papirius Carbo, whom Cinna had chosen for his colleague after the death of L. Valerius Flaccus, now remained consul for a whole year without a colleague. These men retained indeed the name of consuls, but they were in fact true tyrants.

In the year 665, Sulla had gone over to Achaia and Thessaly. Archelaus and Taxiles were at the time the generals of Mithridates, and in possession of Peloponnesus and southern Greece, as far as Thermopylae. Sulla gained the battle of Chaeronea against an innumerable host of barbarians—a battle which he himself probably did not reckon among those upon which he rested his military glory: the men, 100,000 in number, were as cowardly as the Persians, or the armies of Indian chiefs. They formed a phalanx, and were armed as Macedonians, but a Scipio or a Hannibal would have said of them that, notwithstanding all this, they were like fish prepared by a clever cook, in various ways and under various names, but were after all nothing but fish. Sulla himself lost only

a few of his soldiers.<sup>10</sup> Archelaus defended himself very differently in Piraeus. The long walls connecting the city of Athens with the port-town had been destroyed, perhaps by Demétrius Poliorcetes; the communication does not appear to have been free even during the siege of Antigonus Gonatas; but Piraeus, as well as the city, was still protected by the strong walls of Themistocles, which had been restored by Conon.<sup>11</sup> Piraeus was occupied by a Pontic garrison, and the city was defended by the mercenaries of the tyrant Aristion, to whom Archelaus had entrusted it. Archelaus also did all he could to introduce provisions from Piraeus into the city, but with no success; for Sulla was watchful, and superior in both power and talent. The distress in the city rose to such a degree, that the inhabitants were at last completely exhausted. The walls amounted to four or five miles in circumference, and there was not a sufficient number of men to defend them. The city was taken by storm, and the massacre which followed was enormous; as if the conquerors had acted under the influence of an implacable hatred of Athens,<sup>12</sup> for which there was no reason. Few of the buildings of the city were destroyed, and not even the walls; but when Piraeus was taken soon afterwards, the walls of this place were pulled down, and the magnificent arsenal, as well as other buildings, was burnt to ashes: in short, Piraeus was completely destroyed, so that from this time it resembled the decayed towns in the north of Holland, where grass grows in the streets. In the time of Pausanias, it was only a small village near the port. Athens itself was almost depopulated, and henceforth we may apply to it Lucan's words: "*rarus et antiquis habitator in urbibus errat.*" After this, Sulla had some further advantages, and the Pontic

<sup>10</sup> Plutarch, *Sulla*, 19, foll.; Appian, *De Bell. Mithrid.* 42, foll.

<sup>11</sup> Appian, *l. c.* 30.

<sup>12</sup> Appian, *l. c.* 38; Plutarch, *Sulla*, 13, foll.; Vell. Pat. *l. c.* 23.



commander was driven back into Asia.

I mentioned before that L. Valerius had led an army to Asia, but that he was murdered by his quaestor or legate, C. Fimbria, who assumed the command of the army. Mithridates was thus pressed by two armies which were hostile to each other. He first marched against Fimbria, who destroyed Ilium.<sup>13</sup> Sulla then concluded a peace with the king of Pontus, on conditions which appear scarcely credible:<sup>14</sup> the king gave up all his conquests, Bithynia, Phrygia, Paphlagonia, and Cappadocia, and thus confined himself to his former dominions; he paid a war contribution of 2000 talents, and surrendered seventy ships of war. It was impossible to make more moderate terms, and Sulla did not even demand the surrender of the king's advisers.

Sulla now began to press C. Fimbria with all his energy, and the latter, who saw himself deprived of every hope of success, put an end to his life. His soldiers went over to Sulla, who, however, mistrusted them as men who were *contaminati caede consulis*, and as partisans of Marius, for they were for the most part Italicans, and had been enlisted and trained against Sulla in the time of Marius.<sup>15</sup>

It had been the wish of Cinna that C. Fimbria should conclude peace with Mithridates, and enter into an alliance with him. But this plan was now frustrated. Sulla, after having concluded the peace, settled the affairs of Asia, and punished the Greeks, and the Hellenised inhabitants of Asia Minor, the Ionians, Lydians, and Carians, in whose dominions the Romans had been murdered before the outbreak of the war. They were compelled to pay down at once five years' tribute,

that is probably all the arrears for the time that the war had lasted, and in addition to it so heavy a war contribution, that those beautiful countries were ruined for a long time. The first generation after these events was so completely borne down that recovery was impossible; but still they gradually gained new strength, and in the time of the Roman emperors we find them in the most flourishing condition.<sup>16</sup> Nearly five millions of our money were raised there with the utmost harshness, and within the shortest time. We have seen similar things under Napoleon, who did not trouble himself much about their practicability. The Roman equites, who always formed the retinue of the generals, advanced the money for the towns on interest at the rate of 24, or 36, or even 48 per cent., and afterwards raised their capital, together with the interest on it, by the aid of Roman soldiers. This was horrible tyranny, and the sword did not injure those countries half as much as the usurers; but Sulla wanted money to carry on the war.

During all this time he had shewn an extraordinary greatness of character. His house at Rome had been pulled down, his property had been wasted, his friends put to death, his family driven into exile, and many of them came to him, begging and entreating him to come back and take vengeance upon his enemies. But he was re-

<sup>16</sup> Caria, Lydia, and Ionia, form a true earthly paradise. These countries, after having suffered the greatest ravages, and even under a bad government—unless it be like that of the Turks—such as that of the Byzantines or Persians, may be restored to the highest degree of prosperity in the course of a few generations. If they were without any population, and were colonised by Europeans, they would, within fifty years, be in a very flourishing condition. This is the unanimous opinion of all travellers, to whatever nation they belong: all declare that they do not know a finer country in the world. An officer once told me that he had seen one beautiful country after another, first Rome, then Naples, which is much more flourishing than the former, next Peloponnesus, which is infinitely richer than Naples in fertility and the luxuriance of the vegetation, and lastly Smyrna, which, by far surpasses all the rest. —N.

<sup>13</sup> Appian, *l. c.* 53.

<sup>14</sup> Appian, *l. c.* 55, foll.; Plutarch, *Sulla*, 22.

<sup>15</sup> These soldiers remained in Asia for many years, and were known under the name of the Valeriani down to the time of Pompey and Lucullus. After the battle of Cannae, such a corps of soldiers had been sent out to Sicily. —N. Sallust, *ap. Non.* xviii. 7.

solved to bring the war in Asia to a close, and to obtain the most favourable peace before returning. If he had not been a great man, he might have concluded a peace with Mithridates at an earlier period, and the king would have been glad of it. But Sulla acted differently, and wished to fulfil his duties towards the republic, before he thought of occupying himself with his private affairs.<sup>17</sup> And this was indeed the wisest course, for he was now in a condition to return with a victorious army which was attached to him, and with large sums of money at his disposal. But the undertaking on which he now entered, was nevertheless one of extreme boldness; for he had not more than 30,000 men,

<sup>17</sup> Appian, *l. c.* 51; Vell. Paterc. ii. 24.

while his enemies had at their command a force of 450 cohorts, that is, upwards of 180,000 men, including such brave soldiers as the Samnites.<sup>18</sup> From the time of Marius, military forces are always counted by cohorts or small battalions, each containing 420 men, less frequently by legions. The troops of his enemies, moreover, had to fight for their existence, and the Samnites were determined not to conclude peace with Sulla. But he attacked the enemy boldly, with confidence in his good fortune and his own strength, and conducted the war in a brilliant manner.

<sup>18</sup> Vell. Paterc. ii. 24, who states the number of his enemies to have been 200,000. Comp. Appian, *De Bell. Civil.* i. 79.

## LECTURE XCIX.

THE consuls of the year in which Sulla led his army back to Italy, were L. Cornelius Scipio and C. Julius Norbanus, who, like most of the few surviving patricians, favoured the democratical party. If superiority in numbers had decided the issue, or if one of the consuls had been invested with dictatorial power, and had known what use to make of it, Sulla could not possibly have met with success. But the republic was in a state of dissolution; and its leaders after the death of Marius were as unfit as those of France in 1799, when the Directory was so paralysed, and in such a state of decay, that the whole fabric would have broken down, if Napoleon had not returned from Egypt. Rebellions are multiplied under such circumstances, as the people cannot help expecting more from a change than from a continuation of the actual state of things. Sulla calculated upon the inability of the leaders of his opponents, and what the talented Caelius Rufus wrote to Cicero respecting the struggle between Caesar and Pompey, then

actually happened;<sup>1</sup> for even the majority of the new citizens were disgusted with the rulers, who, had they been able to rely on the new citizens and a part of the old ones, might have thwarted all the attempts of Sulla. But the cohorts consisting of new citizens went over to him, even in his first campaign, and concluded a treaty with him, in which he confirmed their newly-acquired privileges—an occurrence resembling those which had taken place in earlier times between patricians and plebeians.

Under such circumstances, Sulla landed at Brundisium, and was received with open arms. It had been intended to make preparations to oppose him, but those which had been

<sup>1</sup> This passage, belonging to the year 1827, is written in all the MS. notes that I have seen, with equal brevity, and can be explained only by conjecture. Niebuhr probably alludes to Cicero, *ad Fam.* viii. 14: *In hac discordia video Cn. Pompeium senatum quique res judicant secum habiturum: ad Caesarem omnes qui cum timore aut mala spe vivant accessuros: exercitum conferendum non esse omnino.*

made by Carbo had broken down in consequence of the general opposition. Sulla advanced through Apulia, as if the country had been in the enjoyment of perfect peace. According to one account, the truth of which, however, is not certain, though it is very probable, he had an engagement, of no great importance, with Norbanus near Canusium;<sup>2</sup> but however this may be, we know that he found the main force of his enemies encamped near Capua at the foot of mount Tifata, where Norbanus was defeated, and large numbers of his soldiers deserted to Sulla. The latter had commenced negotiations while yet in Greece, and he now did the same with the consul Scipio. A truce was concluded, and hostages exchanged. But the negotiations which were protracted by Sulla with a view to deceive the consul and to seduce his troops, were interrupted, perhaps intentionally, by Q. Sertorius, who saw that the soldiers were gradually deserting the consul. Accordingly the truce was broken, and Sertorius occupied Suessa, which had declared for Sulla. The desertion among Scipio's troops became so general, partly from contempt of their own leaders, and partly because they were dazzled by Sulla's glory, that at length he found himself left completely alone. Towards the end of the year, when Sulla had gained such advantages, and was extending his power in southern Italy, many of his supporters took up arms in various parts of Italy. Among these were Metellus Pius in the modern Romagna; and Cn. Pompey, then twenty-three years of age, in Picenum, where he had great influence, for that country, which had been subdued by his father, stood in a sort of clientship to him. M. Lucullus and several others likewise took up arms for Sulla. Their party, and the forces with which they carried on the war, consisted for the most part of new citizens, with the exception of the army of Metellus, who may have had more old citizens from Cisalpine Gaul and Romagna.

The beginning of the following year,

the second of the war, is marked by the most bloody and decisive occurrences. Marius the younger, then twenty-seven years old, who is sometimes called a son, and sometimes a nephew of C. Marius, but was probably an adopted son, was consul with Cn. Papirius Carbo. The latter had the command in the northern districts of Etruria, in the neighbourhood of Ariminum, especially against Metellus, Pompey, and Lucullus; young Marius was stationed on the frontiers of Latium. Sulla advanced from Campania, where he had passed the winter. A decisive battle was fought near Sacriportus (it was not a town, but perhaps only a pass) probably on the road from Segni to Palestrina, and near the latter place; there Marius had concentrated his forces, chiefly Samnites, to protect Rome against Sulla. In consequence of this position Sulla could not advance towards Rome by the *Via Appia*. But Marius was defeated, and a part of his troops deserted to the enemy, whose loss is said to have been very slight. These districts and Etruria were the real seats of the party of Cinna, and the Latin towns were passionately interested in the cause. The rest of Italy, with the exception of Samnium and Lucania, seems to have been foreign to this party, or at least indifferent towards it. After the defeat of Sacriportus, Marius fled to Praeneste, which was quite devoted to his cause, well fortified, and at that time a very large town.<sup>3</sup> Sulla followed him, and blockaded the place; but he soon after led his army towards Rome, leaving behind him Q. Lucretius Ofella to continue the blockade of Praeneste, which contained within its walls old Roman citizens, Samnites, and the inhabitants of the place. Sulla himself went to Rome. He still showed great moderation, and but for the blind infatuation of his opponents, he might perhaps have determined to make an unbloody use of his victory; but they were in-

<sup>3</sup> The modern town of Palestrina, which contains about 6000 inhabitants, occupies only a part of the ancient arx, that is, the space of the ancient temple of Fortune and its precincts.—N.

<sup>2</sup> Appian, *De Bell. Civil.* i. 84.

toxicated with rage, and there prevailed among them a fanaticism like that among the Jews at the destruction of Jerusalem. Even in the last days of the ascendancy of Cinna's party, the praetor, L. Junius Brutus Damasippus, caused a great massacre among the real or suspected favourers of Sulla, in which the venerable pontiff, Q. Mucius Scaevola, was murdered, because he relied on his innocence and disdained to flee.<sup>4</sup> This fury, however, did not give them strength to defend the city, and while the perpetrators of these horrors escaped, Sulla entered the city: he promised moderation, but his promise was meant in an awful sense. He next followed Carbo into Etruria, which was now the scene of the war—so far as the Etruscans were concerned, a real national war, because Sulla deprived them of the privileges which they had obtained. Carbo was near Clusium. The detail of this war is wrapped in deep darkness, and is very perplexing. Carbo, who had still a considerable army, made two attempts to relieve Praeneste, but he failed in both. He also made some other undertakings, as that against Carinas in Picenum, which likewise failed, and his troops deserted to the enemy. The forces of the Marian party melted away under his hands, desertion increasing continually. Many cases of desertion which then occurred are quite unaccountable; even at the beginning, P. Cethegus, one of the men who had been exiled with Marius, had surrendered to Sulla at discretion; and Albinovanus murdered his colleagues and lieutenants at a banquet, and then made peace with Sulla.

The war was brought to a decision by a last endeavour of Pontius Telesinus, whose brother commanded the Samnites at Praeneste. He and the Lucanian general, C. Lamponius, made an attempt to relieve Praeneste; but not being able to effect anything against the line of fortifications by which the place was surrounded, they

hastened towards Rome, which they hoped to take by surprise. But Sulla, who was informed of their movement, threw himself into the city, and averted the danger. The battle which decided the fate of the world, was fought at the Colline gate. The Samnites and their allies are said to have amounted to 40,000 men.<sup>5</sup> Had they succeeded, Rome, according to the expressed intentions of Pontius Telesinus, would have been razed to the ground. The fear excited by the presence of such allies, must have made many of the partizans of Marius inclined to become reconciled with Sulla. Towards the evening on the day of the battle, which had long been uncertain, and had often been favourable to the Samnites, Sulla succeeded in breaking the lines of the Samnites; and their defeat was so great that Telesinus, in despair, put an end to his life. After this loss, Marius, and the younger Telesinus at Praeneste, began to despond also: they endeavoured to escape by subterraneous passages which led through the rocks into the fields; but finding that their flight was discovered, they killed each other.<sup>6</sup> Marius the younger cannot claim to be called a man of any extraordinary greatness: he was a detestable man, and had all the faults of his father; but of his father's great qualities we cannot discover any but his perseverance; and this cannot excite our admiration, as it was commanded by necessity. Carbo also despaired, and fled to Africa. Thus ended this civil war. Italy was now cleared of all hostile armies; and only a few isolated towns in Spain, of which I shall speak presently, continued to offer resistance.

In the battle of the Colline gate, 8000 Samnites had been taken prisoners, all of whom were surrounded and cut down in the field of Mars by the command of Sulla.<sup>7</sup> After the death of Marius, Praeneste surrendered at discretion to Lucretius Ofella: it

<sup>5</sup> Vell. Paterc. ii. 27.

<sup>6</sup> Vell. Paterc. *l. c.*; Appian, *De Bell. Civil.* i. 94.

<sup>7</sup> Appian, *l. c.* i. 93. Compare Plutarch, *Sulla*, 29.

<sup>4</sup> Appian, *De Bell. Civil.* i. 88; Vell. Paterc. ii. 26.



made no capitulation. Sulla divided all its inhabitants into three great masses—the old Roman citizens, the Praenestines, and the Samnites; and, sparing the lives of the first, he put all the rest to the sword. The towns of Etruria surrendered one by one, and the inhabitants of most of them experienced the same fate as the Praenestines. Praeneste itself, however, was not destroyed, while most of the large Etruscan towns, such as Clusium, Aretium, Populonia, Volaterrae, which last had defended itself for two years, were razed to the ground. Faesulae, perhaps, escaped this fate, though it is possible that it may have been afterwards rebuilt.

At Rome, Sulla acted according to his own discretion. Hitherto he had been humane, but he now acted as a blood-thirsty monster; he set the first example of a proscription, that is, he made out a list of those whom any one was at liberty not only to kill with impunity, but for whose heads prizes were offered. Few, indeed, of those who were then murdered, could be compared with those who had been put to death by Marius and Cinna; but in extent the calamity was unsurpassed, for Sulla wreaked his vengeance even upon whole nations. It is said that, in this manner, no less than 2400 equites lost their lives.<sup>8</sup> Whether the names of all of them were in the proscription list may be doubted. Twenty-three, or, according to other but probably incorrect accounts, forty-three, legions had military colonies assigned to them in Italy.<sup>9</sup> In former times, no such colonies had been founded; the first colonies were simple settlements, serving as garrisons, to which a third of the territory of the town they occupied was assigned, and one member of each gens went out as *colonus*.<sup>10</sup> As each colonist did not receive more than two jugers of land, they must have had some other advan-

tages besides;<sup>11</sup> we know that they retained their arms, which the old citizens of those towns did not. At a later period, we find Latin colonies, in which Romans and Latins had equal shares; but both kinds of colonies must be considered as garrisons to protect the frontiers, and we may take it for granted that in most cases the colonists were soldiers, who had fought in the legions. But there existed no relation between colonisation and military service; and the former was by no means a reward for the latter. It is not till after the second Punic war, that we find assignments of public land being made to veteran soldiers. Bononia was the only colony in which there was a reference to an actual war, for the allotments given to the horsemen differed from those of the centurions, common soldiers, etc.<sup>12</sup> But the colonies of Sulla were the first real military colonies, the meaning of which term is this: a certain legion, when dismissed from service, was constituted as the body of citizens of a certain town, the whole territory of which was given up to the legionaries. If its extent did not come up to what the imperator had promised, portions were taken away from neighbouring districts, and added to the colony. The soldiers thus obtained a right to claim assignments of land, a right which had formerly belonged to the plebeians alone. We do not know all the places which were thus colonised. According to an ancient tradition of Florence, which is extremely probable, and which, though it cannot be traced to any ancient author, yet is almost proved by an old reading in one of Cicero's Catilinarian speeches,<sup>13</sup> we may take it for granted that Florence arose as such a military colony out of the old town of Faesulae; so also new Aretium and other places in Etruria,

<sup>8</sup> Appian, *l. c.* i. 103, says 2,600, which number, however, comprises all the equites who perished in this war.

<sup>9</sup> Appian, *l. c.* 100; Livy, *Epit.* 89.

<sup>10</sup> Compare vol. ii. p. 45.

<sup>11</sup> Compare vol. ii. p. 47, foll.; vol. iii. p. 176.

<sup>12</sup> Livy, xxxvii. 57.

<sup>13</sup> Cic. *in Cat.* iii. 6; comp. however, Frontin. *de Colon.* p. 112, ed. Goes.; *colonia Florentina deducta a iiii. viris assignata lege Julia.*

Praeneste, and others; but, in regard to several places, it cannot be proved satisfactorily. The inhabitants of such places were in most cases put to death. It was these colonies which formed the firm basis of Sulla's power. Similar things also happened in places where the old inhabitants were not extirpated: in these the new settlers became the *cleruchi*, and the old inhabitants had to pay a tax for the farms which they retained; this was the case especially with the old Latin colonies. Those which did not share this fate, had become *municipia* by the *lex Julia*, and remained so; those which were proscribed by Sulla, were now called *coloniae* not *Latinae*, but *Romanae militares*. These are the colonies of which Pliny<sup>14</sup> speaks, and the nature of which has always been misunderstood. The subject is one of those which were obscure even to the ancients; and even Asconius Pedianus, who knew history well, could not understand why Cicero called Placentia a colony, since by the *lex Julia* it had become a *municipium*.<sup>15</sup> Nearly the whole of Etruria became a desert, and the towns which had not become military colonies, were in ruins as late as the time of Augustus. The nation of the Samnites also was so far reduced by Sulla that nearly the whole country of the Hirpini was changed into a wilderness. Wherever he did not establish colonies, he gave the land, which in former times would have become *ager publicus*, to his favourites.

Sulla is remarkable for his fantastic belief that he had a vocation to accomplish great things, and especially that he was to be a reformer. He saw the state of dissolution in the republic, but he was unable to see that when old institutions have decayed, and an

effectual remedy is to be applied, new institutions must be created in the spirit of the old ones, but adapted to the circumstances of the time. That which Sulla wanted, could do no good, for it was a mere dead restoration of what had perished from want of vigour and vitality: he recalled the ancient forms of the republic, imagining that they would be able to sustain themselves, and that, like the man in Tieck's novel, he would push the world back to the point where, in his opinion, it ought to have stopped its course. However, as regards himself, he believed that he was destined to rule, and indulged in every possible license, considering himself far above those forms.

He now began to change the laws, and to constitute the senate. It had been expected that, according to the principles of the party for which he had declared himself, he would complete the senate, which had been dreadfully reduced, out of the old nobility, but such was not the case: with a curious inconsistency, which shews how much even he, with all his absolutism, was under the influence of circumstances, he filled up the vacancies in the senate not only with equites, but even with his own centurions of quite vulgar descent, who, however, were ready to do anything that he might wish.<sup>16</sup> He had none of the elements of an aristocracy: the party which was really active, powerful and intellectual, was that of the capitalists, i. e. that of the equites and the Italian *municipia*. But this party he hated, and wished to crush it; and as in such circumstances men throw themselves into the arms of the populace, Sulla, after the model of all oligarchs and counter-revolutionists, filled the senate with low people; just as in 1799 at Naples, arms were put into the hands of the lowest rabble. Thus while he aimed at saving the republic by forms, he himself disregarded them, and forgot the device of his own party.

The Cornelian laws, when looked

<sup>14</sup> H. N. xiv. 8, 2.

<sup>15</sup> This is evidently a lapsus memoriae, for the passage of Asconius, (in *Pison*, p. 3, ed. Orelli) runs thus: *Magno opere me hesitare confiteor quid sit quare Cicero Placentiam municipium esse dicit. Vidgo enim in annalibus eorum qui Punicum bellum secundum scripserunt tradi, Placentiam deductam pridie Kal. Jun. primo anno ejus belli P. Cornelio Scipione, patre Africani prioris, Ti. Sempronio Longo, Coss, etc.*

<sup>16</sup> Comp. vol. iii. p. 301, foll.

into attentively, are a highly remarkable instance of the conduct of a short-sighted and obstinate man, who imagines that he can bring back bygone times by restoring the ancient forms, and that nations can be made to assume any shape or form, like inanimate matter. The number of patricians was so much reduced that, sometimes for four or five successive years, both the consuls had been plebeians; but from henceforth, and so long as Sulla lived, the consulship was regularly divided between a patrician and a plebeian,—further he could not have gone without driving the people to madness, for all the Corypheï of his party were plebeians. This change was in those times perfectly childish, although many others besides Sulla himself may have looked upon it as a very salutary measure. He might have done many things which would have been far more profitable.

He reduced the tribunician power to what it had been previously to the Publilian law (283), and thus undid the work of four centuries. The tribunes accordingly were deprived of the power of proposing laws to the assembly, which became now the exclusive privilege of the consuls and the senate. I almost wonder that he did not try to restore the curies; but he may have been prevented by the circumstance, that the curies had been so completely changed, that he would have had in them a democratic assembly. This also accounts for the fact that Dionysius saw in them something quite different from what they had been originally. Sulla neglected everything that he ought to have done to restore the republic to health; and despairing of every healthful development, he had recourse to *coups d'état* and violent changes. His depriving the tribunes of their power was a measure for which much might be said, for the tribuneship was incapable of any further development; and there really was something revolting in it. But there are things which, however necessary and salutary, cannot be done without the greatest caution, because they run counter to common prejudices.

Sulla, remembering that the tribunes had originally been only a protecting magistracy, and that they had not been allowed to hold any of the curule magistracies, which were reserved for the patricians, again went back and ordered that tribunes should be elected only *ad auxilium ferendum*, and that no tribune, after the year of his office, should be admitted to any office leading into the senate.

In order to secure the safety of his own person still more, he deprived the children of those who had been proscribed of their full franchise, that is, of the right of holding any office whatsoever.<sup>17</sup> This shameful law remained in force until it was abolished by Julius Caesar.

Sulla's greatest change, however, was that by which he restored the *judicia* to the senate.<sup>18</sup> The senators ought now to have endeavoured to exercise their judicial power as impartially as possible; but very far from it!—justice had never been so venal as it was now; the system of bribery was carried on by the faction of Sulla to so intolerable and detestable an extent, that the senators themselves appeared to be purposely undermining their own power; and had it not been for the military colonies of Sulla, severe punishment would have been the well-deserved fruit of their proceedings.

Sulla also increased the numbers of magistrates and sacerdotal officers. In early times there were only four pontiffs and the pontifex maximus, two being taken from each of the two most ancient tribes. The number of augurs was likewise four in those times, and when subsequently the plebeians were admitted to a share in these dignities, each of these two colleges, by the admission of four plebeians, was increased to nine members, including the pontifex maximus, whose office was common to both orders.<sup>19</sup> At that time it was the intention to divide the priestly dignity equally between the

<sup>17</sup> Vell. Paterc. ii. 28; Plutarch, *Sulla*, 31.

<sup>18</sup> Tacitus, *Annal.* xi. 22; Vell. Paterc. ii.

<sup>32</sup>; Cicero, *c. Verr.* i. 13.

<sup>19</sup> Compare vol. iii. p. 351, foll.

two orders. When this ceased to be observed is uncertain, but it was probably before the enacting of the Domitian law. Sulla himself no longer thought of dividing the augurate and pontificate between patricians and plebeians—such was the power of circumstances over the fancies he otherwise indulged in—but he abolished the Domitian law, and restored to the colleges the right of co-optation, increasing at the same time the number of priests in each college to fifteen.<sup>20</sup> This number was a multiplication of three by five, whereas the former number was three times three; for we must remember that the pontifex maximus was included in either case.

This change had no great influence upon the state, but the increase of the number of praetors to eight, and of that of the quaestors to twenty, was of great importance; to the former he assigned in his reform of the criminal law, the *quaestiones perpetuae*. The number of quaestors was so greatly increased, because owing to the vast extension of the state, many more officers were required to keep the accounts of the treasury. The number of officers possessing the curule dignity was thus considerably increased by the additional praetors. The quaestors became members of the senate by virtue of their office, so that the twenty quaestors, who were elected every year, were almost sufficient to keep up the regular number of 600 senators.<sup>21</sup> This was perhaps not so much the result of Sulla's intention, as of the natural course of things. No one was

quaestor more than once. The arbitrary power of the censors, therefore, to create new members of the senate was almost abolished. The question, whether the senate was an elective body, thus appears in quite a different light. The senate now was a body representing the people, as in the very earliest times it had represented the burghers, being elected by the curies themselves; for the yearly election of twenty quaestors, who became at the same time members of the senate, gave to that body the character of an elective assembly; for whether the people elected every year twenty new senators, or appointed the same number of magistrates, who completed the senate, is one and the same thing.<sup>22</sup> But in the intermediate period it cannot be regarded as a representative assembly.

Sulla was very active as a legislator; and senseless as he shewed himself in matters connected with the political constitution, he must have had very superior advisers in his administrative, and especially in his criminal legislation; for it was he who first introduced any tolerable arrangements in the criminal laws, which had before been in a dreadful state. His regulations respecting the manner of conducting criminal lawsuits are evidently improvements; but the particulars of this part of his legislation belong to a history of the Roman law. He also framed a *lex annalis*, determining the succession of public offices.

He kept a kind of body-guard of freedmen under the name of Cornelians, who soon became the most powerful persons. The state of Italy, especially in country towns, after the first storm was over, may be best learnt from the excellent speech of young Cicero for Roscius of Ameria, and from that for Cluentius. A person connected with these Cornelians, especially with Chrysogonus, the favourite of Sulla, might rob and murder with impunity: no one was safe from such persons, not even at the very gates of Rome. The condition of Italy was frightful beyond all description.

<sup>20</sup> Livy, *Epit.* 89; Pseudo-Ascon. in *Divinat.* p. 102, ed. Orelli.

<sup>21</sup> There is no direct authority for this number of senators; but see Appian, *De Bell. Civil.* i. 100; Tacitus, *Annal.* xi. 22. Cicero, *ad Attic.* i. 14, in speaking of the senators voting on a particular subject in his time, states the number to have been 415, fifteen voting on one side, and 400 on the other. From this we can infer no more, than that the total number of senators must have been greater than 415. In *Maccab.* i. 8, 15, that is towards the end of the sixth century, it is stated to have been 320; but not much weight can be assigned to this passage, considering the other statements which are there made,

<sup>22</sup> Compare vol. iii. p. 551, foll.



Sulla gave all these laws as dictator; for after the death of Marius and Carbo he had caused himself to be made dictator for an indefinite space of time, by the interrex L. Valerius Flaccus,<sup>23</sup> and with this title he governed the republic for two years. No one expected that he would ever resign his dictatorship, but he was probably exhausted by his long struggles; he may have felt that he was too old to carry on wars in foreign countries, or he may not have wished to do so. He may have believed that in the republic itself all the necessary reforms were effected, or else he may have despaired of their successful working;<sup>24</sup> in short, he laid down his power, to the surprise and astonishment of every one. This was by no means a bold step, as Appian justly observes,<sup>25</sup> for he had his military colonies and the senate to rely upon, and his opponents were crushed into the dust. He retired to Puteoli, where he is said to have been attacked by phthiriasis, the most disgusting of diseases: his body was covered with ulcers out of which vermin grew. I believe that the fact of his having had this disease cannot be denied; and he

deserved such a punishment. It occurs chiefly in the case of tyrants, such as Philip II., the Jewish king, Herod, Antiochus Epiphanes, and of rich land-owners who had been guilty of brutal conduct towards their tenants; but it is mentioned also in the case of the philosopher Pherecydes. Sulla wasted away from this disease; but he died in consequence of an accident. It was fortunate that he did die before his frame actually fell to pieces. At Puteoli, he attempted to deceive history and make the world believe that all his measures failed only because they were badly managed by his successors; but he in fact continued to rule through his trembling creatures. He played with the legislation of Puteoli, and insisted upon his wishes being carried into effect, although he pretended to live as a simple citizen like everybody else.<sup>26</sup> He died at the age of sixty of a hæmorrhage, occasioned by a fit of rage against a young man who had contradicted him. Had he lived ten years longer, he would have died as quietly as now, for no one would have ventured to do anything against him, since his opponents were annihilated, the tribunes paralysed, and all Italy in the hands of the military colonies which were attached to him. His body was conveyed to Rome, and the pomp of his burial was not less magnificent than that of Augustus, a fact which shews that his influence did not depend upon his person nor upon the moment alone, and that the attempts of Lepidus were senseless.

<sup>23</sup> Appian, *De Bell. Civil.* i. 98.

<sup>24</sup> In 1827 Niebuhr thus expressed himself on this point: "It was in the natural course of things that he could not be satisfied with the success of his legislation; hence he who had shed so much blood in order to obtain supreme power, when he recognised the unsuitableness of his institutions, which he had created by so many acts of horror, resigned his dictatorship after having held it for two years. This is the most natural way of accounting for his resignation, about which so much has been said; even ingenious people have looked for his motives in more distant directions."

<sup>25</sup> *De Bell. Civil.* i. 103.

<sup>26</sup> Plutarch, *Sulla*, 37.

## LECTURE C.

BEFORE proceeding with the political history, let us cast a glance at the state of literature and the manners of the Romans at that period. The *Historiae* of Sallust began with the consulship of M. Aemilius Lepidus and Q. Lutatius Catulus. If we may judge of its importance from the speeches and letters, forming part of the work, which are still extant, its loss is one of the most painful that we have to lament in Roman literature; though, perhaps, less on account of its historical value than of its merits as a work of art, as a masterly specimen of historical composition. The Social war and the period of Sulla had been described by Sisenna, a sort of forerunner of Sallust, a cotemporary and early acquaintance of Cicero, who does not judge very favourably of his work as a literary production.<sup>1</sup> But I am inclined to think that we ought not to receive Cicero's opinion on this point as absolute truth; for he disliked the style of Sisenna because it was the *antiquum et horridum*, and an imitation of the *puerile genus* of the Greek historian Clitarchus.<sup>2</sup> He wrote quite differently from his predecessors, in reading whose fragments we cannot refrain from considering that any one should have been able to write in such

a manner. At that time the whole aspect of literature underwent a great change, just as was the case in Germany about the time of the Seven Years' War, yet there were some who would not abandon the old style and manner, such as Claudius Quadrigarius, who still adhered to the stiff and awkward antique fashion. The opinion of Cicero upon writers of this class must be received with great caution, though we cannot deny that Sisenna must have shewn great awkwardness and a want of refinement.

Pacuvius, of whom I have already spoken, and who was a little younger than Ennius, and considerably younger than Plautus, ranks very high among the Roman poets. If his works were still extant, they would undoubtedly excite our high admiration. He wrote only tragedies,<sup>3</sup> which were, no doubt, excellent. Anything like the satiric drama of the Greeks does not occur among the Romans. At the beginning of the seventh century, Terence introduced quite a new style; and if we compare him with Ennius, Pacuvius, and still more with Plautus, he is infinitely more modern. The *πινος* of antiquity completely disappears in him; for there is every appearance that his compositions were not revised. Caecilius Statius, a Campanian, was somewhat younger than Terence: his skill as a comic and graceful writer is praised by the ancients,<sup>4</sup> but his language is censured.<sup>5</sup> His "fragments," especially a large one in Gellius, do not give us any high idea of him. L. Attius (not Accius or Actius) was a far greater poet; he lived to a very old age, so that Cicero knew him; he was a true

<sup>1</sup> *De Legib.* i. 2, *Brut.* 64. Compare *De Divinat.* i. 44, and Sallust, *Jugurth.* 95.

<sup>2</sup> The contradiction between this passage and *Lectures*, p. 270, where Clitarchus is called an *elegant* writer, must, it seems, be solved by supposing that that epithet was meant to convey censure, with reference to Longinus, c. 3, who calls him *φλοιδῶνς καὶ ψωδῶν*. Cicero (*l. c.*) says of Sisenna: *Hujus omnis facultas ex historia ipsius perspicui potest, quae cum facile vincat omnes superiores, tum indicat tamen quantum absit a summo, quamque hoc genus descriptionis nondum sit satis Latinis illustratum*,—and (*De Leg.* i. 2.) *in historia puerile quoddam consecretur, ut unum Clitarchum neque praeterea quemquam de Graecis legisse videatur*—so that Niebuhr calls this *puerile horridum*, inasmuch as it abets a *summo*.

<sup>3</sup> Fulgentius, *Exposit. Serm. Antig.* p. 562, however, mentions a comedy of Pacuvius entitled "Pseudo."

<sup>4</sup> Horat. *Epist.* ii. 1, 59; Vell. Pat. i. 17; Charisius, lib. ii. in fin.

<sup>5</sup> Cicero, *ad Attic.* vii. 3, *Brutus*, 74.

genius in tragedy, the subjects of which he partly borrowed from the Greeks. He chiefly followed Aeschylus; and the fragments we still possess of his pieces are so beautiful that they will bear a comparison with the works of the Greek poet. But he was not a mere imitator; he also composed *prætextatae* resembling Shakspeare's historical dramas, which are not bound by any restrictions as to time and place, though Attius approached nearer to the Greek tragedies than his predecessors. In his tragedies, he seems to have chiefly used the senarius and the anapaestic verse of four feet; in the former, he did not strictly conform to the laws laid down by the Greeks; but the anapaests in his choruses were composed with the greatest strictness according to the Greek rules of versification. In his anapaestic metres, he displays greater freedom even than Terence; for his anapaests are metrical and no longer rhythmical. His *prætextatae*, however, were written in long trochaic and iambic octonarii according to rhythm, but were more refined than those of his predecessors. Attius may serve to prove how much more refined the ears of the Romans had become in his time. His contemporary, C. Lucilius, of Suessa Aurunca, was not so distinguished in this respect; he used the hexameter verse, consisting indeed of dactyls and spondees, but with licenses, which sometimes exceed anything that even Ennius had ventured upon, so that his hexameters must be read according to rhythm, being actually *sermoni propiora*. He was either unacquainted with the laws of Greek versification, or else despised them. A remark which I believe no one has yet made is, that most of his books of satires were written in hexameters, but not all, some being composed in trochees.<sup>6</sup> His satires must have been very spirited and witty. If we possessed

them we should not, like Horace, *naso adunco suspendere*, but should read his cutting and biting satires with pleasure. It must have been about the same time that Laevius,<sup>7</sup> the lyric poet, lived, who perhaps attained the highest possible degree of elegance and euphony in the old Roman style.

But however great may have been the care that was bestowed upon poetry down to the time of Sulla, the cultivation of a refined and elegant prose was completely neglected. A fragment of C. Laelius,<sup>8</sup> which has lately been discovered, shews that the prose written during this period was even harsher and ruder than in the time of Cato. C. Gracchus was the only one whose prose was distinguished for its *numerus*, and wanted little to deserve the epithet of perfect. The men of the sixth century, who were great as orators, either did not write at all, or exceedingly awkwardly, and much worse than they spoke. The historians previous to Sisenna can claim as little merit for the style of their productions, as our old knights of the sixteenth century, Götz von Berlichingen, Schärtlin, and others of the same class. The Romans were even inferior to them, for those knights were men of action, while the Romans were men of a school, and even as such, worthless.

As regards the manners and mode of life of the Romans, their great object at this time was the acquisition and possession of money. Their moral conduct, which had been corrupt enough before the civil war, became still more so by their systematic plunder and rapine; for the immense riches accumulated were squandered upon brutal pleasures. The simplicity of the old manners and mode of living had been abandoned for Greek luxuries and frivolities, and all their household arrangements had become altered. L. Crassus, the orator, was the first who had marble columns imported from Greece, four of which adorned a large saloon in his house. The Roman

<sup>6</sup> Dunlop, *History of Roman Literature* (published in 1824), vol. i. p. 362, says

"Twenty books of his Satires, from the commencement, were in hexameter verse, and the rest, with the exception of the thirtieth, in iambs or trochaics."

<sup>7</sup> Ausonius, *Cent. Nupt.* p. 181, ed. Scalig.

<sup>8</sup> See above, note to p. 509.

houses had formerly been quite simple, and were built either of bricks or peperino, but in most cases of the former material, and the furniture had been of a corresponding kind: now, on the other hand, every one would live in a splendid house and be surrounded by luxuries. The condition of Italy after the Social and Civil wars was indescribably wretched. Samnium had become almost a desert; and as late as the time of Strabo<sup>9</sup> there was scarcely any town in that country which was not in ruins. But much worse things were yet to come.

At the time of Sulla's death, Cicero was in his twenty-eighth year; he had already spoken several times and excited great attention. Q. Hortensius was older than he, and not free from envy, but rather inclined to keep down the young man, though he was in no way to be compared with Cicero. He had his share of all the depravities of his age; and it is an undoubted fact that he sold his own convictions, a thing from which Cicero was altogether free. Such dreadful times as those were, generally produce great mental excitement. All studies and philological learning were indeed destroyed in France during the time of the League; but the great commotion of that period quickened and sharpened the intellect and feeling. The Thirty Years' war, which was purely destructive, produced no such effect in Germany; but the Seven Years' war gave a fresh impulse to everything, and awakened the muses. Owing to similar circumstances, the age of Cicero was rich in talented men of different descriptions; but none among his contemporaries could stand a comparison with him. Sallust was considerably younger than Cicero, and at this time only a boy; and when he had grown to manhood, Cicero was still shining in undiminished glory.

Sulla was yet alive when M. Lepidus came forward as the head of the democratic party against C. Lutatius Catulus, the leader of the aristocracy. This movement was one of those convulsions

which so often follow after great events, through the folly of those who do not comprehend what has happened. Lepidus was blind to the fact that the present state of things was the result of the shocks which the republic had experienced; he wanted to rescind the acts of Sulla, and to make a counter-revolution. But in order to effect this he would have been obliged to abolish the military colonies of Sulla, to dismiss a number of senators, and to fill up their places with sons of the proscribed; for scarcely any of the proscribed themselves had escaped death. His whole undertaking was impracticable; for the victory of Sulla had been as decisive as possible, and Lepidus himself was not qualified, either by his intellect or his character, to carry such a plan into effect. From a fragment of Sallust's *Historiae*,<sup>10</sup> we see that he had belonged to the party of Sulla, had purchased confiscated estates for a mere trifle, and had derived considerable advantage from the plunder which was carried on so long as Sulla was in power. During the French revolution many people were compelled to purchase confiscated estates, it being intended thereby to attach them to the interest of the revolution; and in like manner Sulla had gained over thousands who otherwise would have been hostile to him, by selling to them the property of the proscribed for almost nominal prices. However, Lepidus may have been a worthless fellow, and the breach was quite natural. He came forward as the avenger of the old Romans whose fortunes had been ruined. Every party which rules by blood must split into fractions; many who had been intoxicated, and afterwards became ashamed of it, now joined together to undertake the cause of humanity. The colleague of Lepidus, C. Lutatius Catulus, was an honest man, and had not enriched himself; he was a Sullanian with all his heart; he had no doubt approved of Sulla's cruelties up to a certain point; but he was an

<sup>9</sup> vi. p. 253.

<sup>10</sup> The speech of L. Philippus against Lepidus.



honourable man, unstained by any crime; he possessed great experience, and was considered a wise adviser. He thus enjoyed a high reputation, whereas Lepidus had none.

Fuel for a new conflagration was not wanting. In all the towns which had received military colonies the whole of the old population had been expelled and reduced to beggary, unless, like Ofellus in Horace, they farmed their former estates as tenants of their new lords, and thus had an opportunity of waiting till the licentious soldiers were reduced to the necessity of selling their property. The number of the latter class of persons may have been considerable. All those unfortunate creatures from the Etruscan and Umbrian municipia, who must have wandered about as beggars, as well as many of the military colonists who had already squandered their newly-acquired fortunes, were ready to take up arms in any cause. It would thus have been very easy to form an army of desperadoes. In order to prevent any outbreak, the senate seeing in the undertaking of Lepidus only the commencement of new misery, made the consuls Lepidus and Catulus swear not to take up arms against each other, and this precaution did good so long as they were consuls and at Rome. It was at that time the custom, probably introduced by Sulla, for the consuls to remain at Rome during the year of their office, and then to go to their provinces. But after the termination of his consulship, when Lepidus went to his province of Gaul, the war broke out. He himself had collected a large number of desperadoes in Etruria, and M. Brutus, a relation of the last Brutus, had done the same in Cisalpine Gaul. An attempt of Lepidus upon Rome was frustrated, for Catulus had taken wise precautions; and the whole undertaking broke down like a mere bubble. Lepidus himself lost all hopes, and embarked for Sardinia, where he died soon afterwards. His soldiers, after having maintained themselves for a time in Gaul under Perperna, went to Spain to join the army of Sertorius. M.

Brutus was defeated by Pompey, and put to death.<sup>11</sup>

The war of Sertorius is of infinitely greater importance. We should be glad if we could read the detailed account which Sallust had written of it.<sup>12</sup> Sertorius, by no means a man of noble birth, was a Sabine of the praefecture of Nursia, subsequently the birth-place of Vespasian. The whole district was proverbial among the Romans for clinging to the old manners and discipline.<sup>13</sup> It forms a sort of Alpine valley (*val di Norcia*), in the Apennines; and it is a singular fact that the place preserved its freedom throughout the middle ages, and never lost it until the time of the French revolution.<sup>14</sup>

<sup>11</sup> Appian, *De Bell. Civil.* i. 105—108; Livy, *Epit.* 90; Plutarch. *Pomp.* 16; Florus, iii. 23.

<sup>12</sup> We cannot say of how many books the *Historiae* of Sallust consisted. We have many fragments of the first five books, but there must have been many more books. From the fragments of the speeches contained in the work, we must infer, that it comprised the period from the consulship of Lepidus down to the end of the war of Pompey in Asia. Sallust was here perhaps obliged to some extent to adopt the annalistic form which he otherwise despised. The work belongs to a late period of his life: his earliest production was the *Catiline*, which was followed by the *Jugurtha*, and his last work was the *Histories*. That they commenced with the consulship of Lepidus and Catulus, is attested by evidence, and may also be inferred from the probable fact that this was the point to which Sisenna had carried his historical work.—N.

<sup>13</sup> *Nursina duritia*. Fronto, p. 242, ed. Niebuhr.

<sup>14</sup> Down to the French revolution several places within the papal dominions had their own constitutions and jurisdiction, and even small places had their own criminal jurisdiction without any appeal to a higher court. Very few persons have any correct notion of the state of Italy previously to the revolution; and there is no work from which we could derive any satisfactory information upon it. I was therefore greatly surprised at the results of my inquiries in Italy. Tivoli, to mention one instance, was almost free, and the interference of the papal legate or delegate in its affairs was like that of a Roman proconsul, who arbitrarily encroached upon the liberties of a free town. This, and similar phenomena, were remnants of the times of the Romans. (Compare upon this subject an interesting letter of Niebuhr to Savigny in *Lebensnachrichten von B. G. Niebuhr*, vol. ii. p. 402, foll.) Thus, while some places had a republican constitution, others were oppressed

It was a small democratic republic, which possessed even criminal jurisdiction without any appeal to Rome. The inhabitants of the Val di Norcia are still considered as robust and free mountaineers; but at the same time, even according to the Italian expression, as *facinorosi*. When they go into other districts, they do not always make the best use of their love of liberty, easily becoming notorious as banditti and criminals; but in their own country they are peaceful.<sup>15</sup> Among the Romans the Nursians, in Cicero's time, had the reputation of having, like the Marsians, Marrucinians, and Vestinians, preserved their old Sabelian manners in their purity.<sup>16</sup>

Sertorius was the work of his own hands, and he owed his elevation to none but himself. In the time of Cinna he had delivered Rome from the freedmen of Marius; and afterwards, when Sulla came to Italy, Sertorius was legate of the consul L. Cornelius Scipio. In the year after, when Carbo conducted his affairs in Etruria so wretchedly that all hope was lost, Sertorius contrived to obtain a commission for Spain, which he was to maintain for his party. Had he been at the head of the Marian party, which was not the case, because he was not an intriguer, Sulla's plans would have been thwarted. The manner in which he acted in Spain did not arise by any means from mere policy, but from his noble disposition, and could not fail to win for him the affec-

tions of the Spaniards. He paid attention to their just complaints, afforded relief whenever he could, and did not treat the Spaniards as contemptible provincials, but tried to amalgamate them as much as possible with the Romans.<sup>17</sup> The plan of maintaining himself in Spain arose as early as that time, for Italy was almost entirely lost to his party. He had an army in the eastern part of the Pyrenees, on the road coming from the district between Perpignan and Collioure, which faced the enemy, and was commanded by Livius<sup>18</sup> Salinator. This army, after having repulsed an attack of Annius, whom Sulla had sent against it, allowed itself to be seduced to desert. This treachery was the greatest piece of good luck for Sulla. After Salinator, the legate of Sertorius, had been killed, Sertorius, deserted by his troops, could only save his life, and with a few attached followers he cruised for some time in the Mediterranean, where the Romans had little power, and where the pirates had extended their sway. Afterwards he endeavoured for a time to maintain himself at Ivisa. Thence he fled to the Lusitanians, the enemies of the Romans. He met everywhere with great confidence, and was welcomed by the people; but he could not hold out anywhere, on account of the numerical superiority of his enemies. He therefore embarked for Mauretania, where he maintained himself for some time, and took part in a war between two pretenders in that kingdom.<sup>19</sup> He took Tangers, and after having made rich booty in Africa, wished to sail to the Canary islands, and to spend the rest of his life there in retirement and independence; but at that moment he was invited by the Lusitanians, with whom his success in Mauretania had made him still more popular; and the Roman governors in Lusitania, who belonged to the party of Sulla, had indulged, in the meanwhile, in plunder

by baronial despotism, or had a badly organised local constitution. In Ancona, the towns had a diet with great privileges, and the country was prosperous; in other places the magistrates acted according to their own discretion, and without any control. Within the Ecclesiastical State alone there were, perhaps, no less than a hundred petty constitutions and states, which were kept together only by the Pope. During the French revolution, however, all of them were abolished and supplanted by *prefectures*. I have discovered and collected several of those old constitutions.—N.

<sup>15</sup> I am indebted for my knowledge of the Val di Norcia to an old Roman Abbé.—N.

<sup>16</sup> A direct mention of the place does not seem to occur in Cicero, but he praises the Sabines in general as *severissimi homines*, in *Vatin.* 15, *ad Fam.* xv. 20.

<sup>17</sup> Plutarch, *Sertor.* 6.

<sup>18</sup> It would perhaps be more correct to read Julius Salinator; see *Plut. Sert.* 7.

<sup>19</sup> Plutarch, *Sertor.* 9.

and persecution under the pretence of acting against the friends of Sertorius. Sulla himself had died; and the belief that the edifice which the dictator had built up would now fall to pieces, very naturally took root in the mind of Sertorius, who lived at so great a distance, and he gladly accepted the invitation of the Lusitanians, in the hope that something could be effected. Wherever he appeared, both the Spaniards and the Romans declared for him. He found his greatest strength in that part of the population

which consisted of the children of Roman soldiers and Spanish women (*hybridæ*), who did not possess the franchise, but had Roman names, spoke both languages, and considered themselves as Romans; they formed the mediators between him and the Spaniards. Proscribed Romans, who till then had concealed themselves, also sought refuge with him; and the Spaniards, especially the Celtiberians, who became enthusiastic in his cause, took up arms to support him.

## LECTURE CI.

As soon as Sertorius had made such progress that he could look upon himself as the chief general of Spain, he began acting upon a well-considered plan: he wished to blend the Spaniards and Romans together in such a manner that the real character of Roman civilisation should be imparted to the nation, without however their giving up any of the peculiar and great qualities which distinguished them as Spaniards. He formed a senate of three hundred members, consisting partly of proscribed Romans, partly of other Romans scattered in the provinces, and partly of the *hybridæ*, and no doubt also of distinguished Spaniards. He thus constituted a Rome at a distance from Rome. This senate is known in history as the *senatus Hispaniensis*.<sup>1</sup> At Osca, the modern Huesca, in the north of Spain, he established an academy, and collected the sons of the most distinguished families, whom he caused to be instructed in the Latin language and grammar in the ancient sense. They were also dressed like the sons of noble Romans, and wore the *bullæ* and *prætextæ*, at which their parents felt not a little pleased.<sup>2</sup> It is quite evident that he must have pro-

mised them the Roman franchise. These boys were at the same time a sort of hostages for their parents—a necessary precaution against the fickleness of the Spaniards. There was, moreover, formed a kind of body-guard of men who, according to the noble custom of the Spaniards, vowed not to survive their general. Sertorius remarked with pleasure, that the number of those who gathered around him and vowed to die with him was greater than had ever before entered into that relation with any other general. He also worked upon their imagination, by accommodating himself to their opinions. It may be that the story about the white fawn, by which he gained so much confidence, was, as Plutarch<sup>3</sup> says, a piece of imposition on his part; but I do not see why he should not, like his master, Marius, have been susceptible of such notions himself; and it seems to me not at all improbable that he himself entertained the same views on this point as the Spaniards.

Reckoning from the time when Sertorius first appeared in Spain, the war lasted eight years; but if we calculate from the time when, after the fall of his party, he placed himself at the

<sup>1</sup> Sallust, *Hist.* iii. *ap. Serv. ad Aen.* i. 698; comp. Appian, *De Bell. Civil.* i. 108.

<sup>2</sup> Plutarch, *Sertor.* 14.

<sup>3</sup> Plutarch, *Sertor.* 11; comp. Appian, *De Bell. Civil.* i. 110.

head of Spain, it lasted only six years.<sup>4</sup> Q. Metellus Pius—the surname refers to his filial affection for his father, Q. Metellus Numidicus,—was sent into Baetica, and entrusted with the conduct of the war against Sertorius. Metellus, at first, was rather successful; but Sertorius soon gained more and more decided advantages over him; and things went at last so much backward, that the senate sent out Cn. Pompey with a fresh army.

Pompey was then a simple eques;<sup>5</sup> that is, he had not yet been invested with any office that conferred upon him the right of being elected into the senate. He was about thirty years old, and in the prime of life. It is very difficult to pronounce a decided opinion upon Pompey: he is not one of those characters whose outlines are clear and indisputable, as in the case of Marius, Sulla, Sertorius, and Caesar; and it is even difficult to say whether he was a great general or not: he was one of those men who, in order to be great, must be favoured by fortune, if not throughout, at least up to a certain point. He did not possess sufficient strength and greatness to act consistently throughout life, in good as well as in evil days, and to be the same under all circumstances. There can be no doubt that he had distinguished himself very much in the Social war under Sulla; for Sulla, who was certainly able to judge on a point like this, treated him with marked respect; nor that in the war against Sertorius he very far excelled Metellus, though in point of generalship Sertorius surpassed him. The war against the pirates was well planned and speedily concluded; that against Mithridates was not difficult indeed, but Pompey shewed himself resolute and active in employing the means which he had at his command. If, on the other hand, we consider him in his civil proceedings, especially during the period from his triumph until the war against Caesar, it cannot be denied that he

had a cowardly fear of the Clodian faction, and that he had a mean jealousy of Caesar, whom he designedly wished to keep down, and to whose superiority he *would* be blind, although he knew it. In the accusation of Cicero he behaved in a cowardly way; he was, in fact, never a trustworthy friend. In the time of Sulla, when he was yet a young man, he was cruel, and Cicero himself does not doubt that, if the civil war had taken a different turn, Pompey would have displayed the same cruelty as Sulla.<sup>6</sup> In other respects too, not much good can be said of him, for in eloquence and acquirements he was below mediocrity. His head in statues and busts, which we have no reason to consider spurious, shews a considerable degree of vulgarity and rudeness, whereas Caesar's head displays all his great intellectual activity. I will not deny that I have a dislike for Pompey; for I know that, from weakness and vanity, he was a different man at different periods of his life, and that in his later years there was a great falling off in his character, which cannot have been the consequence of old age, since, at the time of his death, he was not above fifty-six or fifty-seven years old.

Sertorius succeeded in several campaigns, and in two of them so far as to compel Metellus to withdraw into Andalusia, and Pompey to retreat across the Pyrenees. Had the Spaniards been unanimous among themselves, Sertorius might have defied the whole power of Rome, and have annihilated his two opponents, but he had unfortunately to struggle against the rebellious attempts of the Spaniards, as well as against the Roman legions. He fought two battles in Andalusia, on the Guadalaviar and on the Sucro, against the united Roman proconsuls, in both of which one wing of each army gained a victory, so that they were not productive of any considerable advantage.<sup>7</sup> But, as the Spaniards

<sup>4</sup> Appian, *De Bell. Civil.* i. 108; Livy, *Epit.* 96; Eutrop., vi. 1.

<sup>5</sup> Vell. Paterc. ii. 30.

<sup>6</sup> *Ad Attic.* ix. 10 and 11. Compare x. 4.

<sup>7</sup> Appian, *De Bell. Civil.* i. 110; Plutarch, *Sertor.* 18, foll., *Pomp.* 19.



did not remain faithful, Sertorius in the end fell into difficulties, notwithstanding the immense resources of his mind. Some towns deserted him, but on the part of others he experienced everything that faithful attachment could afford. Calagurris sustained a very energetic siege, and Sertorius, who exerted all his powers to relieve it, at length succeeded. But the faithlessness and cowardice of many places roused his indignation, under the influence of which he committed an act which is the only stain on his character: he sold the hostages assembled at Huesca as slaves.<sup>8</sup> This would have been quite natural in any other general; but Sertorius was of too noble a character, and should not have done it, for it was at variance with his humane disposition; and his power and influence were of a moral nature. The consequence of this act was, that the attachment of the other towns also began to give way.

M. Perperna,<sup>9</sup> probably a son of the consular M. Perperna, had led the remainder of the army of Lepidus from Sardinia to Spain, wishing, however, to carry on the war in his own name; but his soldiers compelled him to submit to Sertorius as his superior. To take vengeance for this, he, in conjunction with a number of Romans, formed a conspiracy against him; for Sertorius had before put to death several who had made similar attempts, whence Perperna found many ready to join him. Sertorius was murdered at a repast.<sup>10</sup> An incredible number of Spaniards who had remained faithful to him, shewed their attachment by

killing themselves at his burial. Perperna compelled the Spaniards to recognise him as their general; but he lost the first battle he fought against Pompey, and was put to death.<sup>11</sup>

Pompey now returned to Rome to sue for the consulship. The people admired him enthusiastically, and he was their favourite to an unprecedented degree; a fact for which I cannot account, unless I suppose they expected he would restore the tribuneship. There might, indeed, have been reasons for such enthusiasm in favour of Caesar, though I do not mean to say that his conduct was altogether praiseworthy; but men of ability and strength could not help loving him, and Cicero, in reality, always loved him. There are times when a people feels the noble want of shewing enthusiasm for something. Pompey had not yet held any curule office, and had been invested with proconsular power without having had a magistracy: but he was now nevertheless made consul, together with M. Licinius Crassus, to whom he was then so hostile that the Romans trembled with fear lest they should take up arms against each other. But at the urgent request of the senate they made a reconciliation, and behaved honourably;<sup>12</sup> they were never afterwards false towards each other, though they lived together for nineteen years. Sometimes it even appeared as if they were good friends; but this appearance would again vanish.

Crassus has acquired his historical importance mainly by his conquest of Spartacus. About five years after the death of Sulla, a Thracian of the name of Spartacus had broken forth from a barrack of gladiators at Capua, with about forty, or according to some authorities seventy-four, other gladiators.<sup>13</sup> The number of gladiators had

<sup>8</sup> Plutarch, *Sertor.* 25.

<sup>9</sup> He was a noble Roman, probably of an Etruscan family, for the termination *na* is Etruscan. It has been said that all gentile names must terminate in *ius*, and that consequently Perperna must be a mere cognomen; but the Etruscan *na* answers to the Roman *ius*. We cannot think of Ernesti without loving and respecting him, but he was mistaken in a great many things; for example, when he said that Caccina was a cognomen, and sought a Gentile name for it; for the inscriptions show that it is a Gentile name.—N. Compare vol. i. notes 344, 922.

<sup>10</sup> Appian, *De Bell. Civil.* i. 113; Plutarch, *Sertor.* 26; Vell. Pat. ii. 30.

<sup>11</sup> The Lectures in the year 1826-27 were not continued beyond the death of Sertorius.

<sup>12</sup> Appian, *De Bell. Civil.* i. 121.

<sup>13</sup> Appian, *De Bell. Civil.* i. 116; Livy, *Epit.* 95 and 96; Plutarch, *Crass.* 8. There is at Pompeii an edifice similar to a barrack; it has parapets, and a number of arms have been found in it. At first I thought the building might have been a barrack; but I

increased at that time to an immense extent; and the rage of the Romans for this kind of public spectacles spread more and more every day. Ambitious persons availed themselves of this mania as a means of gaining popularity. Spartacus, after having broken forth with his fellow-prisoners, took his position on mount Vesuvius, which then formed an old decayed crater, and was difficult of access. Many have acknowledged that Spartacus must have been a great man, and if he had lived in different circumstances, he would have shown this still more clearly. He and his followers concealed themselves in the crater, and an incredible number of runaway slaves joined them. Spartacus and his associates at first formed a band of robbers, and not only escaped the regular troops that were sent against them, but made great havoc among them, and thus acquired arms and ammunition, with which they must have been very scantily provided at the beginning. Spartacus now proclaimed the freedom of the slaves, and numbers flocked to him from all parts of southern Italy, which was either lying quite waste, or covered with slaves. The consequences of Sulla's devastations in those districts now became visible at once; for there were no freemen to check the insurrection. It is surprising to find that Germans also are mentioned among those slaves.<sup>14</sup> It may be that there were some of the Teutones; but it is more probable that they were introduced there through *commercium* by the Gauls. Two Gauls, Crixus and Oenomaus, were the generals of Spartacus, who ruled his men with dictatorial power. The war lasted upwards of two years. Three praetorian and two

consular armies were completely defeated, a great number of towns, such as Nola, Thurii, Grumentum in Lucania, and perhaps Compsa in the country of the Hirpinians, were taken and ravaged with all the atrocities committed by bands of banditti; in fact few places escaped destruction. We know only the smallest part of those events. At length, however, in the third year, Crassus baffled the slaves. They possessed large establishments for the manufacture of arms; and they firmly believed that they might conquer and govern the greater part of Italy, though they would not, perhaps, destroy Rome. This plan of theirs would not indeed have been impossible, unless Rome had drawn its forces together from all quarters; but they were thwarted by Crassus and their own divisions. They were divided into three armies; and it was this circumstance alone that enabled Crassus to defeat them in detail. His last victory was gained near Petilia in Lucania, and he made the same cruel use of it as the German princes did of their victory after the Peasant war in the sixteenth century. The bodies and limbs of the conquered were seen impaled along the high road from Capua to Rome, or their torn limbs scattered over the roads.<sup>15</sup>

Italy was thus delivered from the most fearful of all dangers; but the ravages in the south were so great that the country has never been able to recover even that slender degree of prosperity which it enjoyed after the Marsic war. I believe that even its present wretched condition is better, and the population more numerous, than in the best periods of the Roman empire. This is evident from the very few monuments of this time. The free population was extirpated, the towns were destroyed; and the few in Lucania which are mentioned in the itineraries of the emperors, were scarcely anything more than places for changing horses. The country was

could not conceive why the Romans should have had a garrison in that place, and on a closer examination I found that the arms were those of the Samnites, which were, as Livy (ix. 40) says, afterwards given to the Campanians and then to the gladiators. Hence I have no doubt that the above-mentioned edifice was a *ludus gladiatorius*, in which the gladiators were locked up during the night.—N.

<sup>14</sup> Plutarch, *Crass.* 9; Livy, *Epit.* 97.

<sup>15</sup> Appian, *De Bell. Civil.* i. 120; Plutarch, *Crass.* 11.

cut up into large estates, which served as pasture for cattle and horses.

At the time when these events took place in Italy, a war was carried on in Asia against Mithridates, which is sometimes called the second, but more properly with Appian,<sup>16</sup> the third Mithridatic war. It arose out of that against Sertorius. After Sulla had left Asia, Mithridates fulfilled the greater part of the terms on which peace had been concluded: he gave up Bithynia to Nicomedes, and Paphlagonia to the prince appointed by the Romans, and delivered up his ships, prisoners, and money; but of Cappadocia, he gave only the greater portion back to Ariobarzanes, who was likewise protected by the Romans, and kept the rest for himself. No one, surely, can blame him for this; for the peace had never yet received the sanction of the Roman senate and people. Mithridates had only Sulla's word; and as he had signed it, he demanded of the Romans to do the same. The reason why Mithridates had not at the very first demanded the document guaranteeing the peace, was the fact that Sulla himself had to recover Italy before anything could be done. Afterwards the senate alone was in fault, for Sulla himself was not dishonest in this affair, but the senate was, and Mithridates was unable to get any document.

L. Murena, a Roman general, marched into Cappadocia, invaded the

territory of Mithridates, plundered the rich temple of Anaitis at Comana; and although Mithridates did everything to avoid the war, Murena carried his aggressions so far, that at length open war broke out, in which he was defeated. Mithridates, with strict truth, declared that he had merely acted on the defensive in this whole affair, and demanded that the Romans should ratify the peace. As Sertorius was still in arms, the Romans accepted his excuses; but the documents of the peace seem never to have been exchanged. The Romans left him in possession of his part of Cappadocia, on his betrothing one of his daughters, who was then only a child, to Ariobarzanes.<sup>17</sup>

The great and last war against Mithridates, which lasted for nearly twelve years, was brought about by his negotiations with Sertorius, who sent two proscribed Romans, L. Marius, probably a Campanian new citizen, and L. Fannius, to Mithridates, and concluded an alliance with him. Mithridates was to assist Sertorius with his fleet; and it was especially stipulated that he should place the Cilician pirates, who were under his influence, at the disposal of Sertorius. Mithridates was to have the sovereignty of all Asia, in case of their being successful against the Romans.<sup>18</sup>

<sup>17</sup> Appian, *De Bell. Mithrid.* 64—67.

<sup>18</sup> Appian, *De Bell. Mithrid.* 68; Plutarch, *Sertor.* 23 and 24.

<sup>16</sup> *De Bell. Mithrid.* 68.

## LECTURE CII.

BEFORE proceeding to describe the third Mithridatic war, I will give you a brief survey of the states and nations over which the Roman dominion extended at this time, as well as of those with which Rome was likely to come in contact. The Roman empire in Europe comprised, besides Italy, Pro-

vence with a part of Dauphiné, and the whole of Languedoc and Toulouse. Although the more distant tribes of Spain were only in a state of half dependence, yet, after the war of Sertorius, the whole of Spain may be regarded as under the Roman dominion, with the exception of Biscay and As-

turia. The Cantabri, a great nation in the north of Spain, the separate tribes of which seem to have been perfectly distinct and independent of one another, were quite free. Gaul was in a condition which I shall describe more accurately when I reach the time of Cæsar's conquests in that country. The Aedui had the supremacy; the whole country was in a state of very great weakness, and was already overwhelmed with German tribes. The entire coast of the Adriatic, Dalmatia, and Illyricum, were under Rome, but not to a great distance from the sea; the inhabitants of the high mountains of Bosnia and Croatia were independent. The whole extent of Macedonia, such as it had been under the last kings, as well as Greece, was a Roman province. Thrace, and the country north of Scardus and Scodrus, were still independent.

Bithynia in Asia had been bequeathed to the Romans by the will of its last king, Nicomedes. Mithridates was confined to Pontus proper, and a part of Cappadocia; but the country north of Trebizond was under his supremacy, and many great kingdoms on the coasts of the Black Sea, such as the northern part of Armenia, the country north of Erzeroum, Georgia (Iberia), Imereti (Colchis), Daghestan and the nations south of the Kuban, were tributary to him. The Bosphorus, and the Greek towns in the Crimea were really a province of his empire; but his influence extended as far as the river Dniester, and this influence was, in fact, a sort of feudal sovereignty. His connexions extended even beyond the Danube, and as far as the frontiers of the Roman empire in Thrace. The Seleucidan kingdom had become quite extinct. After the death of Demetrius II., the succession was disputed; and the consequence was, that the kingdom was divided into small principalities, which, although they were very weak, made war upon one another with great fury. It was only in a single district of the coast that one Antiochus maintained himself as king; but he in vain implored

the support of the Romans; and the other parts longing for peace readily recognised Tigranes as their king. His dominion extended from the frontier of Erzeroum to Coele-Syria, embracing great Armenia, Kurdistan, Mesopotamia, the north of Syria, Hyrcania, and a part of Cilicia—a very rich and mighty empire. The Parthian empire, to the east of that of Tigranes, comprised nearly the whole of modern Persia and Babylonia: in the eastern parts of Persia, Bactrian kings seem still to have maintained themselves, and to have possessed a part of Korasan, unless it was already occupied by the Scythians. At the time of the outbreak of the war of Pompey, Media perhaps did not yet belong to the Parthian empire, which was, however, in a state of considerable weakness. It was probably governed in the same manner as Assyria had been in former times, and its provinces were under the administration of princes of the royal family, whose relation to the sovereign was that of feudal kings, so that the Parthian kings were literally kings of kings. The towns on the coast of Phoenicia and all Coele-Syria were free; Judea and Jerusalem likewise formed a free state; and some of its princes (tetrarchs), of the house of the Maccabees, even bore the title of king. Coele-Syria was divided among several princes of this kind, who were called tetrarchs.

Egypt, under the Ptolemies, was confined within its narrowest limits, from the brook Aegyptus to Elephantine, but was, nevertheless, a very rich country. It is a mere chance that we know that the kings of Egypt still had a revenue of three millions sterling,<sup>1</sup> for they were the only proprietors of the soil: but, as a state, Egypt was very weak and contemptible, and going rapidly towards its dissolution. In Asia Minor, the Romans under Servilius Isauricus, had recently conquered the Pisidians, Lycians, and Pamphylians. These countries had till then been free, the former ever since the Antiochian war, and the

<sup>1</sup> Strabo, xvii. p. 798.



latter since the disputes with the Rhodians. A portion of Cilicia was yet independent, but in a state of complete decay, and divided into petty states, which were real nests of pirates. Cyprus was a dependency of Egypt, but governed by its own kings.

After the death of Jugurtha, Numidia, though it was undoubtedly confined to much narrower limits than in the time of Jugurtha, was still a kingdom, and governed by another descendant of Masinissa, whose name is not known with certainty; for the genuineness of the inscription in Rein-esius in which Gauda is mentioned, and which is the only authority for it, has justly been doubted.<sup>2</sup> In Sulla's time, Numidia was governed by one Hiempsal. Africa, the province, was of course governed by Roman proconsuls.

The Gallic tribes which had formerly been so much harassed by their kinsmen, still dwelt on the Danube, such as the Scordiscans and Tauriscans, and, somewhat higher up, the Boians. The tribes of Noricum practically acknowledged the supremacy of Rome. The German tribes, at this time, scarcely extended further south than the river Main. A line, running from the Rhine between the Main and Neckar across the Odenwald, Spessart, and the Thüringerwald into the heart of modern Poland, was then, in all probability, the southern frontier of the German tribes.

The consulship of Pompey and Crassus became remarkable for a constitutional change introduced by the praetor L. Aurelius Cotta. Many of the institutions of Sulla, especially that by which he had transferred the judicia from the equites to the senate, had become so odious and detestable in their consequences, that many honest men of the ruling party itself did not feel disposed to support them: the good men among them saw the disgraceful abuses, and were ashamed of them. The venality of the courts was quite

manifest, as we may see from the speeches of Cicero. To take away the judicial power from the senate, and to vest it in an independent body of men, had therefore become the great problem. But no one was desirous of restoring that great privilege to the equites, and Rome found herself involved in difficulties, from which she was unable to extricate herself. In such times, the classes of society are distinguished from one another by their landed property or their capital. If a person wants to generalise, he cannot adopt any other principle, although it is thoroughly false. This division, however, cannot be prevented under such circumstances, and Rome was on that false road, on which France is at the present day. There existed already a census for the members of the senate; though it is uncertain whether it was necessary for every senator to possess 800,000 sesterces, or one million; but the *census senatorius* must, at all events, have been higher than the minimum of the *census equestris*. Regulations respecting the *census senatorius* had probably existed as early as the Hannibalian war. The judicial law of L. Aurelius Cotta ordained that a number of senators, equites, and the *tribuni aerarii*, should be invested with the judicial power. The *tribuni aerarii* were probably people of a lower census than the equites, and chosen by the tribes to represent that class of citizens who possessed smaller fortunes. These three classes, probably furnishing the same number each, were to form a very numerous jury. The particulars of this law are fortunately preserved in the Commentaries of Asconius Pedianus upon Cicero.<sup>3</sup> This reform was wise and salutary, and although the judges were still bad enough, yet they were infinitely better than the senators.

Another great change which Pompey made in his consulship, and without the assistance of Crassus, was, that he restored the power of the tribunes

<sup>2</sup> No one knows where the original inscription is, and we are only told that it was discovered in the sixteenth century.—N.

<sup>3</sup> *In Pison*. p. 16; in *Cornelian*. p. 67, 78, foll.; Pseud. Ascon. *ad Cic. Divin. Verr.* p. 103; compare Schol. Bobiens. p. 339; Livy, *Epit.* 97; Vell. Patern. ii. 32.

exactly to what it had been previously to the reforms of Sulla;<sup>4</sup> so that only the augurs had the right of interfering to prevent their bringing measures before the people: thus, just as Sulla had narrowed the tribunician power too much, Pompey now went too far in the opposite direction. It is the besetting sin of all men of mediocrity, and of every-day politicians, to abolish restrictions entirely, which appear to them, or really are, injurious. In all such cases, moderation is the most important requisite; but shallow politicians never see any difficulty in settling a question under such circumstances: and their argument is simply this:—"Here we see a wrong, and we will tear it up by the root." The restoration of the tribuneship in the seventh century was a monstrous absurdity; but Rome's condition was such that an angel from heaven would not have been able to bring about any essential improvement. These things happened during Pompey's consulship, in the year 682. I shall relate the further changes down to Cicero's consulship (689), when I have reached that period.

The third war against Mithridates broke out almost immediately after the death of Nicomedes.<sup>5</sup> Various provocations on the part of the Romans had preceded it; but the immediate cause was the treaty of the king of Pontus with Sertorius. Mithridates was perfectly prepared, at least as far as his riches and great exertions enabled him to be so; but the mere fact of his being an Asiatic rendered his fall unavoidable. He is much overrated in history, and too much honour has been paid to him; for all he did was of such a nature that it might have been done by any one who possessed large sums of money and numerous armies. As a general, he was wretched, and not able to conduct either a campaign or a battle. He overran Paphlagonia, and advanced

into Bithynia and Cappadocia, and having proceeded as far as Chalcedon on the Bosporus, he compelled the consul M. Aurelius Cotta to throw himself into Chalcedon. His fleet also was successful, and chased that of the Romans into the harbour, where he captured all their ships of war. The Romans had now (678) been keeping the soldiers of Valerius Flaccus (the Valeriani<sup>6</sup>) in those regions for nearly thirteen years: they had become quite savage, and were in the highest degree indignant at their long banishment from home. After taking Heraclea and Chalcedon, Mithridates therefore appeared before Cyzicus, a most populous and wealthy town, which remained faithful to the Romans with the same determination as in former campaigns. We have a detailed description of the exertions with which it was besieged by sea and by land:<sup>7</sup> Mithridates had landed his troops in the island which contained a part of the city, and was connected with the main land only by a dam; from that island and from the sea he conducted the siege with the greatest vigour; but without being supported by the Romans, the citizens of Cyzicus repelled every attack.

In the meanwhile, Lucullus arrived in Asia. He was a determined champion of the party of Sulla, and immensely rich: he has acquired an unfortunate importance, as having more than any one else familiarised his countrymen with Asiatic luxuries. He was a distinguished general, and must have had other estimable qualities besides, as Cicero esteemed him highly: but his exorbitant riches cannot have been acquired in an honest way; they must have been accumulated in time of war. He brought a fresh army with him to Asia, at the time when Mithridates was engaged with the siege of Cyzicus, and took up a favourable position on the Aesepus in Phrygia; by this means he rendered

<sup>4</sup> Livy, *Epit.* 97; Vell. Pat. ii. 30; Appian, *De Bell. Civil.* i. 121; Cicero, *De Legib.* iii. 9 and 11, in *Verrem*, i. 15, foll.

<sup>5</sup> Appian, *De Bell. Mithrid.* 71.

<sup>6</sup> Dion Cass. xxxv. 14; Sallust, *Hist. Fragm.* lib. v. Compare Lecture xcviii. p. 560, note 15.

<sup>7</sup> Appian, *l. c.* 73, foll.; Plutarch, *Lucull.* 9.

it so difficult for Mithridates to obtain the necessary supply of provisions, that the king at last felt obliged to raise the blockade and to retreat. The circumstance of his having continued the siege of Cyzicus too long was but a slight mistake, and must not be urged too much against him : for even the greatest generals of the eighteenth century committed similar blunders. Frederic the Great and Napoleon made great mistakes : the duke of Wellington is, perhaps, the only general in whose conduct of war we cannot discover any important mistake. Pyrrhus committed very great faults, and Hannibal was probably not altogether free from them. After leaving Cyzicus, Mithridates retreated, and

could not maintain himself anywhere ; and, when he had escaped to the interior of Pontus, we entirely lose sight of him. Lucullus set out in pursuit of him, and transferred the war into Pontus. Here too Mithridates did not know how to render the sieges of his towns difficult for the Romans, although the towns themselves, as Amisus, Sinope and others, held out very bravely. He actually allowed himself to be driven out of his own country, and threw himself into the arms of his son-in-law, Tigranes of Armenia.<sup>8</sup>

<sup>8</sup> Appian, *l. c.* 76—78 ; Plutarch, *Lucull.* 9—14.

### LECTURE CIII.

It was, as we have seen, in his second campaign that fortune turned against Mithridates. His armies, amounting to hundreds of thousands of hoplites, were dispersed, his principal towns in the west of Pontus, which is the most beautiful part of it, were taken, and he himself sought refuge with Tigranes, his son-in-law. After having completed the conquest of Western Pontus, Lucullus followed him across the mountains into Armenia, and laid siege to Tigranocerta, the capital of Tigranes, whose Armenian army was routed and dispersed like chaff. The capital itself, although defended with somewhat greater energy than the Armenians had shewn in the open field, was taken after a short siege, and Tigranes retreated before Lucullus. Gibbon justly remarks, that the character of a nation often undergoes a surprising change even under apparently unfavourable circumstances, but that sometimes it changes only slightly, or even remains the same, notwithstanding the influence of the greatest vicissitudes ; as an instance of which we may mention the Spaniards. Some nations grow worse ;

but the Armenians improved. Towards Lucullus, and even long before, during the retreat of the Ten Thousand Greeks, they behaved in as cowardly a way as the Persians under Xerxes did towards the Greeks ; but during the period of the Eastern empire, and down to a late period of the middle ages, they were the bravest among the Asiatics, and were the flower of the Byzantine armies. It has been remarked, with equal justice, that their cowardice can be the less accounted for, as Armenia is a very cold country, and in its mountains the winter is much more severe than in Germany. In the neighbourhood of Erzeroum, snow often falls even before the end of September, and in October it is very common.<sup>1</sup> Lucullus penetrated into Mesopotamia, and took his

<sup>1</sup> Gibbon did not sufficiently consider the fact, that the Armenians embraced Christianity with great enthusiasm ; and that, as Christians, they were for the most part hostile towards the Persians and the Magian religion, and attached to the Christian emperors of Byzantium. At a later period, they were enthusiastic adherents of the Paulician doctrines.—N.

head-quarters at Nisibis (the ancient Zaba in the second book of Samuel,<sup>2</sup> or according to the vulgate the second book of Kings), the seat of the Syrian kings in Mesopotamia. This town came to be of great importance during the decline of the Roman empire; and under Diocletian it was the chief fortress of the eastern frontier. Here Lucullus seems to have amassed immense treasures during his proconsular government; and here also he was surprised by an insurrection in his army. The soldiers were incited by P. Clodius, the same who afterwards acquired his sad celebrity in Roman history, and one of whose sisters was married to Lucullus.<sup>3</sup> The first elements of the insurrection were among the Valeriani. The time of their service had been greatly prolonged, for they had now been in arms twenty years, and as they had served so long they had a right to demand to be sent home. The period of military service had been gradually increased. In the time of the younger Scipio no more than six years of uninterrupted service had been required. Clodius played the mutineer, as he did in fact throughout his life. Lucullus refused to let the Valeriani go, probably because he had not received the necessary reinforcements, and therefore could not spare them. This insurrection prevented Lucullus from acting energetically against Mithridates, who now gained fresh courage. Lucullus withdrew into Cappadocia; and Mithridates, who had followed him and defeated his legate, C. Valerius Triarius, again got possession of the greater part of his dominions. Lucullus had even before drawn upon himself the suspicion of protracting the war, in order to enrich himself; and now, just at the time when he was not favoured by fortune, his adversaries increased their exertions that the command against Mithridates might be given to Pompey.

After the war against Sertorius, Pompey had conducted that against

the pirates. Piracy must have been an old evil in the eastern parts of the Mediterranean. The rude inhabitants of the mountainous parts of Cilicia had probably been practising this profitable kind of warfare for a long time; as pirates and archpirates are mentioned in those parts as early as the Macedonian time, so that even then they must have had their strongholds there; but they had then been insignificant in comparison with what they were at this time. The coast of Cilicia was well suited to them, for although it contained some important and flourishing towns, such as Tarsus, yet the majority were small places as in Maina. That coast had formerly been under the dominion of the Syrian kings, but after the dissolution of the Seleucidan empire (A.U. 630), Cilicia became independent, and the numerous little fortified places and commercial towns on the coast, especially in *Κιλικία τραχεία*, were the landing-places of the pirates; here they established themselves by land and by sea. During the war with Mithridates, who encouraged them, their boldness surpassed all belief. We need only read Cicero's speech for the Manilian bill,<sup>4</sup> to form an idea of their number and their robberies.<sup>5</sup> The whole of the Mediterranean, from the coast of Syria to the Pillars of Hercules, was covered with privateers, and there was no safety anywhere. Their prisoners were dragged to fortified places on the coasts, and were compelled to pay enormous sums as ransom; and, in case of their being unable to raise the money required, they were sold as slaves or tortured to death and thrown into the sea. These pirates made descents even upon the coast of Italy, and took towns; once they landed in the very neighbourhood of Ostia, and distinguished Romans, nay, even praetors, with all the ensigns of their office, were dragged from the high road as prisoners. Rome required to be supplied with corn from

<sup>4</sup> In all the MSS. it is more correctly called "De imperio Cn. Pompeii."—N.

<sup>5</sup> Compare Appian, *De Bell. Mithrid.* 92 and 93; Plutarch, *Pomp.* 24.

<sup>2</sup> viii. 3.

<sup>3</sup> Plutarch, *Lucull.* 21.



Sicily and other agricultural countries; and as the communication between Italy and those countries was frequently interrupted, the city was perpetually suffering from scarcity. The Cretans, who had, at all times, been notorious as pirates and highway robbers, were the allies of the pirates. The navy of the Romans had fallen greatly into decay, while the numbers of the pirates' boats, which were small like those of the Mainotes, but dangerous to merchant vessels, were incalculable. The time when Pompey had the command against the pirates was the most brilliant period of his life, and his excellent conduct deserves great praise. He took his measures in such a way, that he drew them together, as it were, by a bait, from all parts of the Mediterranean towards Cilicia, where he conquered them in a glorious sea-fight. He captured all their ships, took the towns which had served as their strongholds, transplanted them from places difficult of access, partly to larger towns of Cilicia and to fertile districts where they had the means of living and could be watched, and partly to the deserted places of Peloponnesus, such as Dyme in Achaia, where they could be more easily looked after and kept in check. This was a great benefit to the civilised world, for which Pompey deserved the everlasting gratitude<sup>6</sup> of all the nations round the Mediterranean.

After this war Pompey stood higher in public opinion than ever, and this popularity induced the Romans to invest him with the supreme command in the war against Mithridates. The Romans had never any reason to regret this step: but they made his position easier than that of Lucullus had been, for they increased his army with considerable reinforcements. Mithridates lost in a single battle all that he had gained, without the Romans acquiring any great reputation by their victory. He fled into Colchis, and thence along the Caucasus to the Bosphorus Cimmerius. Pompey followed him through

Erzeroum, and advanced as far as Georgia and the country of Tiflis, through countries for an accurate knowledge of which we are indebted to the late Russian war. The princes of those countries paid homage to Rome. Machares, one of the sons of Mithridates, who held the kingdom of Bosphorus as a fief of his father, and had concluded a separate peace with the Romans, now put an end to his life from fear of his father, who was approaching. For in times of misfortune, when Mithridates gave vent to his grief with oriental fury, his own domestics, and even his children, who were extremely numerous, used to tremble, to hate him, and to wish for his destruction. The retreat of Mithridates was undertaken partly to enable him to pursue and punish his personal enemies, and partly as the commencement of a gigantic enterprise. He had still immense treasures concealed; and his intention was to rouse the Bastarnae, and other nations on the Danube, and to lead them into Italy.<sup>7</sup> When his soldiers heard of this plan, a rebellion broke out in his army at Panticapaeum,<sup>8</sup> as they knew that none of his undertakings had yet succeeded, and no advantageous results could be anticipated from such a bold expedition, in which he, as well as his army, would undoubtedly have perished. Pharnaces, his own son, was at the head of the rebellion. Mithridates had so often shewn his fearful oriental character, that his son could not feel safe until his father was dead. The insurrection assumed the awful character of all Asiatic rebellions, so that Mithridates, who had every moment to fear being murdered by his son, put an end to his life by poison. Pharnaces now made peace with Pompey, and did not scruple to deliver up to the conqueror the body of his own father; but Pompey behaved humanely, and had it buried with regal magnificence.<sup>9</sup> Pharnaces remained in possession of the Bosphorus and the adjoin-

<sup>6</sup> Appian, *De Bell. Mithrid.* 94—97; Plutarch, *Pomp.* 26.

<sup>7</sup> Appian, *l. c.* 101, foll.

<sup>8</sup> Dion Cass. xxxvii. 12.

<sup>9</sup> Appian, *l. c.* 113; Dion Cass. xxxvii. 14.

ing country of the Kubanians, and retained them until the time of Caesar, when he ventured to meddle with the civil war of the Romans,<sup>10</sup> and ruined himself by the attempt.

Pompey followed up his victory, and now directed his arms against Tigranes, who was glad enough to obtain a disgraceful peace: he had to pay a heavy sum of money, and to surrender all his possessions, with the exception of Armenia Proper, being even obliged to give up a part of Armenia to his rebellious son, though he soon afterwards recovered it. Syria was ceded altogether, and was made a Roman province. Pompey advanced as far as the frontiers of Egypt, meeting with no opposition from the Syrian or Phoenician towns, of which he took possession. One of his generals even penetrated into the country of the Nabataean Arabs, where homage was paid to him by the Arab king, Haret. In the contest between the two brothers, Hyrcanus and Aristobulus, princes of the Jews, Pompey declared himself in favour of the former. Aristobulus was made prisoner, and afterwards adorned the triumphal procession of Pompey. Jerusalem fell into the hands of the Romans by capitulation; but the Temple held out for three months, and when it was taken Pompey allowed his soldiers to plunder, but not to destroy anything.<sup>11</sup> The death of Mithridates falls in the year of Cicero's consulship; the conquest of Syria belongs to the year following, and the triumph of Pompey took place either at the end of the year 690, or at the beginning of 691.

The conduct of Pompey after the termination of the war was praiseworthy. He disbanded his whole army, although he might have acted as Sulla did, and assumed the *tyrannis*; but he would not, and shewed a true *animus civilis*. He took no improper advantage of the senseless honours which were paid to him, and appeared

only once in his triumphal robe in the Circensian games; although, on the whole, he shewed himself mean and miserable during the time of peace, and certainly did not deserve the name of the Great, which had been given to him by Sulla in war. His triumph was most magnificent.<sup>12</sup> It is related that he displayed in his triumph, among other trophies, a list of the tributes which the republic had acquired from the countries conquered by him. The numbers, as they are stated by Plutarch, do not appear to me too great, but rather too small. If we consider the revenues, and exorbitant land-taxes which were raised in Syria, Judaea, and other countries, at the time of the Maccabees, it appears to me inconceivable that the numbers in Plutarch should be correct. The amount of tributes gained by Pompey was indeed greater than all the previous tributes put together. But Syria was at that time one of the most prosperous and wealthy countries in the world, though at present it is a desert. To give an account of the princes whom Pompey restored, would lead us beyond our limits; and the subject belongs more properly to a universal history.

Let us now turn our attention to Catiline, a dreadful name, of which we may say what an English author says of Cromwell, that it is "doomed to everlasting fame;" although Cromwell was an angel in comparison with Catiline.<sup>13</sup> I shall give you only a brief sketch of his history, as I can refer you to Sallust for a perfectly satisfactory account. Sallust has a great love of truth, is just towards every one, and does perfect justice to Cicero, without heeding the vulgar

<sup>12</sup> Appian, *De Bell. Mithrid.* 116, foll.; Plutarch, *Pomp.* 45; Dion Cass. xxxvii. 20, foll.

<sup>13</sup> In the middle ages, Catiline, with the slight alteration of his name into *Catellina*, was quite a standing character in the tales and legends of Florence, as in Malespini, where he is the real impersonation of evil; and, owing to this extraordinary popularity, the vulgar form of the name, *Catellina*, is found in a great many MSS. of Roman authors.—N.

<sup>10</sup> *Se inserere armis Romanis*, as Tacitus expresses it.—N.

<sup>11</sup> Dion Cass. xxxvii. 15 and 16; Plutarch, *Pomp.* 39 and 45.

talk of other people. At the time of Catiline's conspiracy he was a young man, and perfectly able to make correct observations of what was going on. Very soon after these events, he became personally acquainted with Caesar, Crassus, and other leading men; when Crassus died, Sallust was not yet thirty years old. It is always of great importance for the historian of such events as this conspiracy, to become acquainted with the leading men who acted a part in them; and not to write about them till some time after, when prejudices and delusions cease to exercise their influence.

According to the accounts both of Sallust and of Cicero, Catiline was certainly an extraordinary man, endowed with all the qualities which are necessary to constitute a great man in such times: he had an incomparable and indescribable courage and boldness, and a gigantic strength of both mind and body; but he was so completely diabolical, that I know of no one in history that can be compared with him; and you may rely upon it that the colours in which his character is described are not too dark, though we may reject the story of his slaughtering a child at the time when he administered the oath to his associates,<sup>14</sup> and making them drink the blood mixed with wine. He had served in the armies of Sulla, and had greatly distinguished himself. His position resembled that in which the most formidable terrorists and Septembriseurs found themselves after the 18th of Brumaire, under the consular government in France. Many of those who have indulged in all excesses in a fearful civil war, find it afterwards impossible to abstain from bloodshed, even when they have nothing to gain by it. If we suppose that Catiline had any definite object in view, which he meant to attain by his crimes, it is very difficult to say in what it consisted; but if the crimes themselves were his object, we can understand his character. To comprehend the occur-

rences of this time, it is essential to form a clear notion of the immensely disordered condition of Rome. There never was a country in such a state of complete anarchy: the condition of Athens during its anarchy, of which people talk so much, bears no comparison with that of Rome. The anarchy of Athens assumed a definite form; it occurred in a small republic, and was quite a different thing altogether. Rome, on the other hand, or rather some hundreds, say even a few thousands, of her citizens, who recognised neither law nor order, had the sway over nearly the whole of the known world, and pursued only their personal objects in all directions. The republic was a mere name, and the laws had lost their power. There were laws, to mention one instance, which, under a heavy penalty, forbade bribing the electors, and their severity had repeatedly been increased; but it was nevertheless a well-known fact, that every candidate, with the exception of Cicero, spent enormous sums upon his election, for which they always contrived afterwards to indemnify themselves during the time of their office. The *Romani rustici* had lost their importance, and the city populace was a tool in the hands of the nobles in their feuds against one another. In such a corrupt state of things, Catiline was a welcome instrument for many; and it is for this reason that I do not consider the charge which was brought against Crassus to be unjust. The latter was a very insignificant person, and Catiline would have crushed him under his feet, if his schemes had been realised, although it would perhaps have caused his own ruin. If Catiline really had any object at all, it must have been that of making himself tyrant, and of becoming a second Sulla, without the intention, however, of ever resigning his *tyrannis*. Two years before Cicero's consulship, he had formed a conspiracy to murder the consuls and proclaim himself master of Rome. We know his most brilliant qualities through Cicero, of whom he had an immense hatred, and who says of him that he

<sup>14</sup> Dion Cass. xxxvii. 30. Compare Sallust, *Catil.* 22.

possessed a magic and fascinating power, by which he subdued and swayed all with whom he came in contact, and that therefore it was no wonder that young people were attracted by his extraordinary talents. He never let loose those whom he had once ensnared. I believe that Cicero had on one occasion defended him; he had been an officer in Sulla's army, and after his praetorship, having had the administration of the province of Africa, he was charged with malversation when the year of his office had elapsed. It was only with the greatest difficulty that he was acquitted, and it may have been on that occasion that Cicero spoke for him.<sup>15</sup> Everybody's attention was drawn towards Catiline: every one dreaded him, but no one had the courage to come forward against him. His character was so well known that all agreed in their fear, and in the conviction that fire

and plunder would be the order of the day if he should gain power; and persons of the most different characters and parties, even many partisans of Sulla, were convinced that they would be his victims.

Under these circumstances, Cicero, who had already been praetor, offered himself as a candidate for the consulship. He bore down all opposition by his great integrity and his extraordinary talents; he was in great favour with the people, but the nobles at first opposed him as a *novus homo*, and would hear nothing of him; but the well-known fact that Catiline and his associates intended to murder the candidates for the consulship, and the prospect that it would be impossible to keep C. Antonius, uncle of the triumvir, who was probably an accomplice of Catiline, from the consulship, induced the optimates to declare for Cicero, who was thus unanimously elected consul for the year 689, according to Cato.

<sup>15</sup> Asconius, *ad Cicer. in toga cand.* p. 85, ed. Orelli.

## LECTURE CIV.

M. TULLIUS CICERO was born on the third of January, 647, or, according to Varro, 649,<sup>1</sup> at Arpinum, the native place of Marius. Arpinum was a municipium of great extent, considering that it was a provincial town in the interior of the country, and was one of the so-called Cyclopiæ towns. At present it is a very small place. We can easily conceive that all the citizens of Arpinum were proud of Marius; and Cicero, who shared this general feeling, had an additional motive for it, as there existed a sort of relationship between the two families. M. Marius Gratidianus was one of his kinsmen.<sup>2</sup> The Ciceros were among

the most distinguished families of the place, and during the petty disputes at Arpinum, his grandfather, a man of considerable merit, always sided with the optimates.<sup>3</sup> Cicero's father, as well as his grandfather, were intimate with the first families of Rome, and especially with those who were opposed to Marius in their political sentiments. Cicero was thus brought in contact with the Scaevolæ and others who belonged to the party of Sulla: a circumstance which retained its influence upon him throughout his life, and produced a kind of discord in his character.

As regards his early youth, we only know that he shewed great mental activity, and was of a lively character. His first inclinations were of a poetical

<sup>1</sup> This date is so much the easier to remember, as it reminds us of the year in which Goethe was born (1749).—N.

<sup>2</sup> Asconius, *ad Ciceron. in toga cand.* p. 84, ed. Orelli; Cicero, *Brutus*, 45.

<sup>3</sup> Cicero, *De Legib.* iii. 16.



nature, and his earliest poetical productions were composed in the old Roman form. The poem "Pontius Glaucus," in *versibus longis*, was written when Cicero was a mere boy. In poetry he adhered throughout his life to the ancient Roman forms, while in his prose he was entirely the child of his own age. We can hardly form a notion of the nature of the education which such a distinguished Roman received in a municipium; we can only say that the Greek language and literature were among the earliest subjects in which he was instructed, as in my youth a knowledge of French was the first thing that was imparted to the boys in Germany. A short time before the outbreak of the Italian war, Cicero, then about fourteen or fifteen years old, was taken to Rome by his father, perhaps because Arpinum, which lay on the frontier of the Italicans, was not thought safe enough. Here he associated with Greek philosophers and rhetoricians, and throughout his life he considered it as his greatest happiness to have been introduced, at so early a period, to the two Scaevolae, by whom he was treated like one of their family, and to have been connected with Crassus and others. That time was one of great excitement, and this was one of the fortunate circumstances of his life. It is very doubtful (for Cicero nowhere mentions it) whether he was with Sulla during the Italian war;<sup>4</sup> it can, at any rate, have been only for a short time, and had no lasting influence upon him; he was naturally, in fact, not a military character. In his intercourse with the great Scaevola, he occupied himself with the study of the civil law. This method of studying the law, as an apprentice, under a man distinguished in his profession, resembles the method which was formerly followed in France, and which is still customary in England. It afforded immense advantages to young men of talent, as they became acquainted with the law *in concreto*. They assembled early in the morning in the *atrium*, and listened to the advice which was given to those who

came to consult the lawyer. This mode of education is the best in all cases where it is practicable. Although it is a very just remark that Cicero had no scientific knowledge of the law, still it was not without an important meaning, that he said, "If I wished to acquire a scientific knowledge of the law, it would not take me more than two months." He may not have had a systematic and general view of the law, but he had a good practical knowledge of it, and knew an immense number of cases.

As I am relating to you the history of the greatest man of his kind, I am anxious to make the causes of the embarrassments which he met with during his life as clear as possible. If we consider his attachment to his friends among the optimates, and, on the other hand, the favour he bestowed upon their opponent, P. Sulpicius, we cannot deny that he was in contradiction with himself; but he followed truth in every way, and here we recognise the discord of his mind. Sulpicius was the man of his choice, and of a more congenial mind and talents than those old gentlemen, who were men of very great respectability indeed, but narrow-minded. Sulpicius, moreover, belonged to the party of Marius; and that Cicero too was favourably disposed towards Marius is clear from the fact that Cicero, when a young man, wrote a poem in his praise.

When the revolutions broke out, Cicero remained at Rome, and during the strife of the parties he was protected by that of Marius, while the partisans of Sulla were not against him, for he was true and favourable to both. In the meantime he continued to work, though his heart was torn, and seeing the wrongs on both sides, he maintained himself in a kind of neutrality. In the second consulship of Sulla, Cicero attained his twenty-seventh year. He had already spoken in public several times, *in causis privatis*; his first speeches indeed belong to an unusually early period of his life.<sup>5</sup> His

<sup>4</sup> Plutarch, *Cicero*, 3.

<sup>5</sup> The speech for Roscius, the comedian, is the earliest of his orations. Garatoni and

defence of Roscius of Ameria, whom Chrysogonus, a freedman of Sulla, wanted to get rid of, excited still greater admiration of his talents, together with the highest esteem for his own personal character. It was an act of true heroism for a young man like Cicero, not to fear that dangerous favourite of Sulla, and still more so if we consider his family-connexion with Marius. Cicero saved his client, but his friends advised him to quit Rome, that Chrysogonus might forget him. He accordingly went to Rhodes and Asia, where, in the midst of Greeks, he completed his Greek education. Cicero was deficient in mathematical knowledge; for he never received any instruction on that subject, which the Greeks themselves rarely neglected. Another point in which he was deficient was the history of his own country, a subject of which he never made a regular study. It had no attractions for him; but he had an extraordinary partiality for the historians of Greece, especially Herodotus and Thucydides, and he was well read in Timaeus and Theopompus. He was fond of poetry, though only in a limited sense. The Attic orators were the objects of his enthusiastic admiration, for he felt that it was his vocation to become their rival. He possessed the greatest vivacity, an excellent memory, a quick perception, and remarkable facility of expression; all gifts which may make a great orator; but the predominant and most brilliant faculty of his mind was his wit. In what the French call *esprit*, light, unexpected, and inexhaustible wit, he is not excelled by any among the ancients.

If we look at his personal relations, he seems to have passed his youth without any intimate friend, and it was only in his maturer age that a pure and true friendship was formed be-

tween him and Atticus. His brother Quintus, for whom he had a great brotherly affection, was an unworthy man, and in no way to be compared with him. In his marriage Cicero was not happy; his wife Terentia, whom he had been induced by his friends to marry, was a domineering and disagreeable woman; and as, owing to his great sensibility, he allowed himself to be influenced very much by those who surrounded him, his wife also exercised great power over him, which is the more remarkable, because he had no real love for her. She unfortunately led him to do things which drew upon him the enmity of others; and I believe that the implacable hatred which Clodius entertained towards Cicero was brought upon him by Terentia. The men of a more advanced age looked upon him as a very distinguished person, but none of them ever felt a true affection for him.

On his return from Asia, the Sullanian oppression had ceased; Sulla himself was dead, the commotion of Lepidus was over, and a reaction against the tyranny of the oligarchs was beginning. Such a reaction in its origin is always like something peculiarly youthful and conciliating, people of the most different parties joining one another and acting together as friends. I have seen this state of things in France, where it lasted from 1795 to 1797: the persons by whom it was headed were of the most different characters and inclinations, but they were united among themselves, animated by a good spirit, and with good intentions. During the reaction against the tyranny of the French in Germany, down to the year 1813, I often felt convinced that many persons, who were then closely united, would give up all connexion with one another, if the reaction should cease. The event proved that I was right, for of ten who were then united, not two have kept together. The same was the case after the reactions against Robespierre and Sulla had ceased. Among all classes at Rome, the general opinion was against Sulla, although his party still had the

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Gronovius have proved that it must have been spoken several years previously to the oration for Quintius, in the year 677. The latter caused a great sensation, on account of the boldness with which he protected the persecuted Quintius.—N.

power in their hands. This accounts for the manner in which they lost it; for they themselves, as they grew tired, gave up their advantages one after another; just as the National Convention did, after the death of Robespierre; and the consequence was that the people at Rome began to feel more safe and comfortable than they had any reason for, considering the circumstances of the time. The danger from without, in consequence of the efforts of Spartacus, was still so great that they ought to have kept together.

Although it very rarely happened that a *novus homo* succeeded in raising himself to the highest offices of the state, Cicero, who had not distinguished himself in war, resolved upon obtaining them. All the offices for which he had offered himself as a candidate had been given to him with the greatest willingness on the part of the people, and he discharged his duties in a manner which distinguished him from all his contemporaries. He acted upon the principles of a man of honour—and such he was in the highest degree—not like others, for the sake of obtaining fame, or with the intention that it should become known that he had made sacrifices. His pure mind was above all baseness, and it was only the consequence of his noble ambition that he wished to show himself in the most brilliant light. The feeling that he *must* distinguish himself, and his success, were among the sources of that boasting with which he has been reproached so often, and from which he would assuredly have been quite free if he had lived in other circumstances. He obtained great reputation by his accusation of Verres, but still more by his defences; for while the other eloquent men of his time mostly indulged in their inclination to accuse, Cicero defended. If we consider the persons whose causes he pleaded, it certainly appears strange that he spoke for men in whose favour I, for one, should not be able to say a single word, and for actions which he himself detested; but in many cases this was the effect of his amiable

disposition.<sup>6</sup> As an instance, I will mention his defence of M. Aemilius Scaurus, the son, in which he made an apostrophe to the father, the deep hypocrite, who in his later years, indeed, was really the worthy man of whom he had before only assumed the appearance. Cicero greatly admired him; for in his early youth he had been kindly received by him, and it may perhaps have been extremely flattering to Cicero to have attracted Scaurus' attention. I cannot understand this admiration, and no one can share it who knows Scaurus only from the facts which history has transmitted to us. But Scaurus was a *grand seigneur*, and had been censor and *princeps senatus*, the first man of the republic. His personal acquaintance with such a great personage had made an indelible impression upon Cicero, the pleasing remembrance of which diffused a lustre around the whole history of the man. I have myself experienced a similar impression in my youth, and with similar consequences. I confess that a great statesman, in whose house, as a young man, I was received almost as in my own home, appears to me in a different light from what he would do if I had not known him personally. I believe, therefore, that when the son of Scaurus was charged with criminal acts, it was merely by his feelings towards the father that Cicero was induced to try to spare him the pain of seeing his son condemned. Cicero also defended P. Vatinius, although he had, on a former occasion, spoken against him with the utmost bitterness. But Cicero had forgiven him, and we must suppose that he pitied him, and that his first speech had been too vehement and passionate. He knew that Vatinius was generally hated, though he was not bad in the same degree in which he was hated, as we see from his letters, which, curious as they are, shew his gratitude towards his patron. His accusers, moreover, were con-

<sup>6</sup> The German expression is *Seine schöne Seele*, for which it is difficult to find an equivalent in English.

temptible persons. But independently of all this, the consciousness of his power to protect and assist was so agreeable and pleasant a feeling to him, that Cicero sometimes exercised that power in cases where ordinary men would have shrunk from it. He himself said, *deorum est mortalem juvare*. His only act for which I can find no excuse is that he spoke for A. Gabinus; but this was a sacrifice which he made to the republic, and by which he hoped to win Pompey over to the good cause, and he no doubt felt the degrading necessity very keenly. It is to be lamented that he lived at a time when it was necessary to be friendly towards villains in order to do good. It is a great pity that his defence of Gabinus is lost; it was of the same kind as his speech for C. Rabirius Postumus, who was certainly not innocent, and we may therefore conjecture its tone and character. He assuredly did not assert that Gabinus was innocent; but after all, we must remember that those courts were not juries, whose object is simply to discover whether a person is guilty or not, and over which there is a higher power which may step in, either pardoning or mitigating the sentence. In those *quaestiones perpetuae* the judges had stepped into the place of the people, who formerly judged in the popular courts, and they pronounced their sentence in the capacity of sovereign: they decided whether a person was guilty or not, and might at the same time pardon. The people more frequently pardoned than they acquitted, so that pardoning and acquitting came to be regarded as identical; and as there was no other place in which the pardoning power could manifest itself, it was exercised in the courts of justice. Such a pardoning power must exist in every state; for it is but too often true that *ubi summum jus, ibi summa injuria*. This is the point of view from which we have to consider the courts of justice and the pleaders for the accused at that time. When the great Kant, in his criticism of the power of judgment, depreciates eloquence and the vocation of an ad-

vocate, he does it in a work which is itself written so eloquently that he is, in some measure, in contradiction with himself. Eloquence in our courts of justice is certainly an evil, for in our whole administration of justice the object is simply to discover whether the defendant is guilty or not; and everything which might mislead the jury ought to be avoided. If, on the other hand, there existed a body of men to place the sentence before the sovereign for ratification, or for the purpose of investigating whether pardon could be granted, there an eloquent orator would be in his proper sphere. I have been more minute on this subject than I should have been had it not been my earnest wish to prevent your forming any erroneous opinions respecting the character of Cicero.

After having gone through the offices of quaestor, aedile, and praetor, Cicero was unanimously elected consul in his forty-third year. I will not deny that at the end of his consulship he felt rather giddy; but he entered upon it with great joy and confidence, though under very perilous circumstances. The tribunes abused their recently recovered power, and all kinds of movements were going on, such as the *lex agraria* of P. Servilius Rullus, on which occasion Cicero induced the people to decline great largesses, which it was proposed to make by a distribution of land;<sup>7</sup> one of the most brilliant achievements of eloquence. Another noble act was that he persuaded the sons of the proscribed, many of whom belonged to the first families, and all of whom had been reduced to poverty, to renounce their claims, for the sake of maintaining peace and concord, although they had received promises that they should be restored to their rights by a motion of the tribunes. At the beginning of his consulship his attention was directed towards Catiline. An attempt of the latter to murder Cicero was discovered, and frustrated by the consul himself. Respecting the watchful

<sup>7</sup> Cicero, in *Pison*. 2.



care with which Cicero observed the proceedings of the conspirators, and discovered their secrets, without being seen himself, I refer you to Sallust and to Cicero's speeches against Catiline. In the end, however, things went so far, that Cicero thought it necessary to attack Catiline in the senate. Thereupon Catiline left Rome, which many thought to be a great advantage gained, and went to Etruria, where one of his followers had gathered some thousands of armed men, consisting of exiles, Etruscans, impoverished colonists, and desperadoes of every kind. The greatest danger, however, arose from the fact that Catiline's most influential accomplices were still at Rome; among them was the praetor Lentulus, who had already been consul; but having been convicted of *ambitus*, his name had been struck out from the list of the senators; afterwards he passed through the lower offices, in order to find his way back into the senate. Cicero knew him to be an accomplice. With regard to others, such as Crassus, it was very probable that they were concerned in the conspiracy, though there was no positive evidence. Caesar, too, was mentioned, but Cicero thought him innocent; and I am perfectly convinced that it was impossible for a mind like his to participate in such things. In order to get to the bottom of the affair, and to obtain such evidence as might make the crime, according to the Roman law, a *delictum manifestum*, Cicero made use of a stratagem. He availed himself of the presence of some ambassadors from the Allobrogians, who had been Roman citizens ever since Pompey's return from the war against Sertorius, and whose delegates were now at Rome, in order to negotiate a loan and improve their con-

dition. These ambassadors had been drawn into the conspiracy by Catiline, and were acquainted with the whole plan. Cicero prevailed upon them to disclose to him the proposals which had been made to them by the Catilinarians, to obtain letters from the conspirators, and then to deliver them up to him; but for the sake of appearances he ordered the praetors, L. Valerius Flaccus and C. Pomptinus, to arrest them. Those letters were found among their papers, and the evidence was complete. The punishment to be inflicted on the conspirators was discussed in the senate. There is no question that, according to the Roman law, the conspirators were punishable with death, and the only thing required to make their execution legal was to prove the identity of their signatures. The proposal of D. Junius Silanus, therefore, was quite just. Caesar, on the other hand, considered this step highly dangerous, and as calculated to excite great exasperation, because it would be necessary to have recourse to the wholesale executions of former times; he therefore advised that the conspirators should be distributed in several towns, and kept in strict custody for life. This would, perhaps, have been the wisest plan, and does not by any means prove that Caesar was a member of the conspiracy. If, in after-times, Cicero did ever ask himself the question, whether his mode of proceeding against the conspirators was really the wisest, and best for the republic, he cannot have denied to himself that, independently of the unfortunate consequences to his own person, it would have been better if Cato, honourable as he was, had not spoken, and that the execution of the conspirators was a misfortune for the republic.

## LECTURE CV.

THE reader of Cicero's works will remember that he frequently mentions the day of the complete dissolution of the conspiracy, and will be surprised at the manner in which he speaks of it in the oration for P. Sextius,<sup>1</sup> where he asks what would have been the consequence, if the conspiracy had been discovered later, and if Catiline had had time during the winter to throw himself into the mountains. This is strange; for every one knows that Cicero describes the *nonae illae Decembres* as the day of his triumph; and surely the winter in Etruria has commenced in December. But this arises from the irregularities in the calendar. Caesar once went into winter quarters in February. The events followed one another very rapidly; which we cannot wonder at, for the most important occurrences may happen in the course of a few weeks.

Catiline had joined C. Manlius in Etruria. Cicero had taken the most excellent precautions. Q. Metellus Celer, who was with an army in Picenum, in the neighbourhood of Rimini, marched towards the northern foot of the Apennines, to seize the passes of Faesulæ, by which Catiline intended to hasten to Gaul. Cicero, with wonderful skill, kept Antonius, who likewise commanded an army, away from the conspirators, and paralysed him, by giving up to him various advantages which he might have claimed for himself, such as the presidency at the elections, and the like; and as Antonius was ill, the command against Catiline was undertaken by his lieutenant M. Petreius. As Metellus had occupied the road from Etruria to Gaul, Catiline was compelled to accept a battle. He fell as he had lived, an able soldier: his

men fought like lions, and died like the soldiers of Spartacus.

Thus ended the consulship of Cicero. The gratitude of his country, which he had so truly deserved, instead of being lasting, was only momentary, and was followed by hostility and malice. The contemplation of such a state of things is one of the saddest in human life. It is natural that an eminent man should demand acknowledgment: for as truly as it is the will of nature that we should not lie, so also it is her will that we should honour noble acts and acknowledge them. Plato says, "the last garment which a pure man puts off is the love of fame," and if he does put it off, he is in a dangerous way. I have once said in my public life, that I consider too slight a love of fame, that is of true and immortal fame, as one of the greatest dangers in our lives: but where that love does exist, I apprehend nothing. When I contemplate the disease of our time, I perceive with pain, that there are very few who strive after immortal fame: that wretched and unsatisfactory life which is confined to the present moment, leads to no good. The poems of Count Platen, the first among our poetical geniuses, offend many readers by the frequent appearance of the poet's painful desire to be honoured and acknowledged. An actual saint, such as Vincent de Paula, would not experience any painful feeling at not being duly appreciated, but his is a different sphere. If an extraordinary mind can always be active, he will not be much concerned about being honoured or not honoured; if, however, it is his destiny not to command over bodies, but over minds, he will be much more easily wounded by the want of appreciation. Cicero was a man of a curious, we may almost say, of a morbid sensibility to any affront: envy and hostility were

<sup>1</sup> c. 5.

ruinous to him. It was a misfortune for him that he endeavoured to counteract the want of appreciation on the part of his fellow-citizens, by coming forward and shewing what he was, sometimes doing so by way of reproach, sometimes by argument. Persons who have themselves displayed their vanity in the pettiest affairs of their little native places have censured Cicero for his vanity, and have written upon it in a very edifying manner. It always grieves me to hear such expressions, which we meet with even among the ancients; for I love Cicero as if I had known him, and I judge of him as I would of a near relation who had committed a folly. On one occasion he felt much hurt by the indifference which Pompey shewed towards him. Cicero seems to have seen little of Pompey before he went to Asia; for Pompey was constantly absent from Rome, and Cicero was always at home. It can have been only during Pompey's first consulship that the two men came in close contact with each other; and the question is, how far their acquaintance had the character of a real friendship. Cicero was aedile elect in the year in which Pompey was consul. When Pompey had gained his great victory over Mithridates, and was thinking of nothing and nobody but himself, Cicero sent to him in Asia an unfortunate letter<sup>2</sup> to inform him of his having saved his country from destruction, and to express his disappointment at Pompey's not having taken any notice of it in his letter. This letter to Pompey afterwards became the cause of infinite sorrow to Cicero. Pompey answered it in a very cold manner, and was mean enough to think himself insulted by Cicero, who had dared to mention his own merits by the side of those of the conqueror of Mithridates. Here we must also remember the aristocratic sentiments which Pompey liked to display towards a *novus homo* like Cicero, for his family was at that time at the head of the aristocracy, although his great grandfather had been a musician.

They had amassed immense riches by robbery and plunder.

All party opinions had lost their significance; sons were found among the opponents of the party to which their fathers had belonged. Even at the end of his consulship Cicero was most impudently assailed by Metellus and Bestia, two men of very high plebeian nobility, who then acted the part of demagogues. It is very pleasing to read Cicero's oration for Murena, and to see the quiet inward satisfaction which made him happy for some time after his consulship. This speech has never yet been fully understood, especially by the jurists who have come forward as the champions of the great lawyer Ser. Sulpicius; no one has recognised in it the happy state of mind which Cicero enjoyed at the time. If a man has taken a part in the great events of the world, he looks upon things which are little as very little; and he cannot conceive that people, to whom their little is their All and their Everything, should feel offended at a natural expression of his sentiments. I have myself experienced this during the great commotions which I have witnessed. Thus it has happened that the sentiments expressed in the speech for Murena have for centuries been looked upon as trifling, and even at the present day they are not understood. The stoic philosophy, and the jurisprudence, of which Cicero speaks so highly on other occasions, are here treated of as ridiculous; but all this is only the innocent expression of his cheerful state of mind.

In his youth Cicero had been without friends, and afterwards he attached himself chiefly to young men of talent, whom he raised and drew towards himself wherever he had an opportunity. Hortensius, who was exceedingly afraid of being eclipsed, pursued the very contrary plan towards rising young men. In this manner, Brutus and the very different Caelius Rufus became attached to Cicero, and Catullus too knew him, and was treated by him with affection. Cicero was not repulsive even to those young men who had gone astray from the

<sup>2</sup> *Ad. Famil.* v. 7.

path of virtue ; and thus we find him exerting himself to the utmost to lead the talented Curio to adopt a better mode of life, though unfortunately without success.<sup>3</sup> Among the few interesting things which occur in the letters of M. Aurelius to Fronto, there is one passage in which the emperor intimates that the Roman language had no word for *φιλοστοργία*, that is, a tender love for one's friends and parents.<sup>4</sup> This feeling was not a Roman one, but Cicero possessed it in a degree which few Romans could comprehend ; and hence he was laughed at as unmanly and effeminate for the grief which he felt at the death of his daughter Tullia.<sup>5</sup> But nevertheless he was not a man of weak character ; whenever there was need of it, he shewed the greatest firmness and resolution. What makes him appear weak is his sensitive nature ; a thing which he thought an indignity (*indignum*) completely annihilated him. When Milton makes God say to Adam

A nice and subtle happiness, I see,  
Thou to thyself proposest,

he makes me think of that class of men to which Cicero belonged. I have known a man of a very similar character, Frederic Jacobi, who has likewise been charged with vanity, irascibility, and weakness. He often reminded me of Cicero, whose character has, in fact, become clear to me in my intercourse with Jacobi.

The root, indeed, of the Catilinarian conspiracy was destroyed, but many of its fibres yet remained, and soon began to shoot. Not long after Cicero's consulship, an event took place to which the misfortunes of the rest of his life were attributable. This was the trial of P. Clodius, the youngest of the three sons of Appius Claudius, and a direct descendant of Appius Claudius the decemvir. The eldest, who bore the family name, Appius, was a good-natured, but superstitious and little-

minded person ; as, however, he was wealthy, and belonged to a noble family, he obtained the highest honours in the republic. Clodius had also two sisters, one of whom was married to Lucullus. He thus belonged to the highest aristocracy of Rome ; but this was no longer of any consequence : the question at that time was, not who was the noblest, but who possessed the greatest power. P. Clodius is an exemplification of that most fearful state of demoralisation, which was just then at its height ; he was one of those who contributed most to the fall of Rome. At the festival of the Bona Dea, which, like the Thesmophoria, was celebrated by the vestals and matrons, he had sneaked, in the disguise of a woman, into the house of the pontifex maximus, to have a rendezvous there with Pompeia, the wife of J. Caesar. The crime was discovered, and Clodius was brought to trial. The whole proceeding shews that a change must have taken place ; for, according to the ancient law, he ought to have been tried by the ecclesiastical court of the pontiffs ; and would to God that this regulation had now been in force, for Clodius would unquestionably have been condemned, and Cicero would have been spared all his subsequent misfortunes. But the old law, and the ecclesiastical jurisdiction of the pontiffs, except in cases relating to the ceremonies, must have been abolished, though nobody knows when this was done. Clodius tried to prove an *alibi*, and had the impudence to call Cicero as his witness.<sup>6</sup> Up to this time, no hostility is said to have existed between the two men ; and Clodius was so dangerous a person, that Cicero ought to have been satisfied with simply stating that he knew nothing about the matter ; but he was led away, it is said, by the desire to justify himself to his domineering wife, and to prove to her that he was not a friend of the Claudian family. Accordingly, he not only bore witness against Clodius, but gave free expression to his indignation, and said things

<sup>3</sup> Cicero, *Brutus*, 81.

<sup>4</sup> *Frontonis Reliquiae*, p. 144, ed. Niebuhr.

<sup>5</sup> *Ad Famil.* iv. 5, ix. 11, *ad Atticum*, xii. 12, 18, 19, 26.

<sup>6</sup> Cicero, *ad Atticum*, i. 14.



which would necessarily have brought about the condemnation of Clodius, had he not purchased his acquittal.<sup>7</sup> Things were then in such a frightful condition, that the defendant had to deposit his bribe before the trial began.

Clodius could never forget the conduct of Cicero on that day, and meditated revenge. Pompey, too, on his return to Rome, shewed the same conduct towards Cicero as before. He treated him with worse than indifference; he insulted him, and encouraged Clodius to undertake something against him. Clodius now caused himself to be adopted into a plebeian family for the sake of appearances, in order to obtain the tribuneship.<sup>8</sup> Disgraceful things were then going on at Rome, and Clodius had a hand in all of them. I shall mention only one. Ptolemy Auletes, who had been expelled from Alexandria on account of his vices, came to Rome, and bargained with the rulers about the price of his restoration. The people of Alexandria sent an embassy to Rome to justify themselves, and to prove the shameful conduct of their late king: but he, with the connivance of the Romans, caused the most distinguished among the ambassadors to be assassinated.<sup>9</sup>

The tribuneship of Clodius falls in the year after Caesar's consulship (A.U. 693) and four years after that of Cicero. It may be considered as the beginning of the civil wars. Pompey and M. Crassus had hitherto been the most

powerful men in the republic, and Caesar had not yet exercised any great influence, though his favour with the people was immense. It is greatly to be regretted that we know so little about his family.<sup>10</sup> The Julia gens which had come from Alba to Rome, was one of the most ancient gentes minores. During the first period of the republic, members of it were often invested with curule offices; but from the fourth to the seventh century it entirely disappears, and it is only about the end of that period that it comes forth from its obscurity. The patrician rank had then so little meaning that, with the exception of Sulla and a few others, the patricians sided with the popular party. Such also was the case with the Julii. Julia, the sister of Caesar's father, was married to the elder Marius; and Caesar therefore was attached to his uncle Marius and his recollections, from his early youth, just as Plato was attached to his mother's uncle. He himself was married to Cornelia, the daughter of Cinna, and Sulla wished to dissolve this marriage; but Caesar, young as he was, shewed his noble soul, for where all trembled, he refused to bend, and resisted. They might take her from him by force, and might threaten his life, but he would not consent to divorce the wife he loved. Her dowry however was taken away, because the property of her father was confiscated. Caesar was not on the proscription list of Sulla, but was

<sup>7</sup> Cicero, *ad Atticum*, i. 16, 18; Plutarch, *Cicero*, 29, *Caesar*, 10, and especially Cicero, *In Clodium et Curionem*.

<sup>8</sup> Such *transiiones ad plebem* were not unfrequent in early times, when it was not even necessary to be adopted into a plebeian family, for a man might go completely over to the plebeians by the mere act of his own will. He became an aerarian, and was registered by the censor in a tribe. But this custom had long fallen into disuse, and persons knew little or nothing about it; hence Cicero disputed the legality of Clodius' tribuneship, but there was no real ground for doing so.—N.

<sup>9</sup> Cicero, *pro Caelio*, 10. Compare the fragments of Cicero's oration, "De rege Alexandrino."

<sup>10</sup> It is a singular circumstance that his two biographies by Suetonius and Plutarch are both *ἀνίκανα*. With regard to Suetonius the fact is well known, but it is only since the year 1812 (Lydus, *De Magistr.* ii. 6) that we know that the part which is wanting also contained a dedication to the praefectus praetorio of the time, a fact which has not yet found its way into any history of Roman literature. That Plutarch's life of Caesar is likewise *ἀνίκανος* has, as far as I am aware, not yet been noticed. The fact is not mentioned anywhere; but there can be no doubt that the beginning is wanting. Plutarch could not have passed over Caesar's ancestors, father, and whole family, together with the history of his youth. The life, as it now stands, opens with the demand of Sulla's relative to Caesar's second wife Cornelia; but this is no beginning at all.—N.

obliged to conceal himself, for he was persecuted, with the knowledge of the dictator, by his catchpolls, the Cornelli, and was reduced to the necessity of purchasing his own life. Caesar, according to the custom of the young nobles, had married very early, and was still very young at the time of Sulla's tyranny: but there was something so extraordinary in his character, that even some of the savage agents of Sulla could not bear the thought that so distinguished a young man should be sacrificed; and Sulla was at last induced, though not without great difficulty, to stop the persecution against him. Caesar now returned to Rome. Had Cicero been as thoughtful as Caesar, he would have been a happier man, for Caesar possessed the greatest boldness and resolution, combined with an incredible degree of prudence and cunning; so long therefore as Sulla lived, Caesar spent his time in the active pursuit of study, like an ordinary man of good education; and he, who was afterwards the greatest general of his age, shewed no trace of military ambition, and received no military training. When he went to Spain as quaestor he, for the first time, commanded a detachment of troops, and became a great general at once, just like Moreau, who served in his first campaign as commander of a division. Frederic the Great too never went through any military training. After his quaestorship, Caesar obtained the aedileship, in which he distinguished himself by his extraordinary munificence and splendour, although he was by no means rich. He was unconcerned about money matters, reckoning upon great things that were to come; and whoever lent him money had in Caesar's heart a security that he would be repaid tenfold, if Caesar should come into power.

It was during his aedileship that he

attracted general attention, by placing himself at the head of the remnants of the Marian party, for the party of Sulla was already sinking in public opinion. In this spirit he had honoured his aunt Julia, the wife of Marius, with a splendid funeral oration, the first that was ever delivered upon a woman. It was an unworthy act of the victorious party that it had destroyed all the monumental honours of Marius, and had removed his statues and monuments; but Caesar one night secretly caused the statue of Marius to be restored in the Capitol, together with a statue of Minerva putting a crown on the head of Marius, and an inscription recording all his titles. This created such a terror at Rome, that the aged Catulus, in his folly, wished the senate to interfere and accuse Caesar; but public opinion was in favour of the latter. After his aedileship, Caesar became praetor, and four years after Cicero's consulship, he was elected consul, A.U. 693.

There are many isolated facts in ancient history, to which attention is not usually paid, although to an attentive observer they are of the highest interest. One such is the account—whether it is true or not I cannot decide—that when Cicero as a young man went to Rhodes to complete his education, and consulted the oracle of Delphi about his life, the Pythia advised him to live for himself, and not to take the opinions of others as his guide.<sup>11</sup> If this is an invention, it was certainly made by one who saw very deeply, and perceived the real cause of all Cicero's sufferings. If the Pythia did give such an answer, then this is one of the oracles which might tempt us to believe in an actual inspiration of the priestess.

<sup>11</sup> Plutarch, *Cicero*, 5.

## LECTURE CVI.

AMONG the features which are particularly characteristic in Caesar, I must mention his great openness, lively disposition, and love of friendship. He was cordial, but not tender, like Cicero: he also differed from him in his natural desire to have many friends. Great qualities and talents alone were sufficient to attract him, and this circumstance led him to form friendships with persons whose characters were diametrically opposed to his, and who injured his reputation. He was perfectly free from the jealousy and envy of Pompey, but he could not tolerate an assumed superiority which was not based upon real merit. Bad as Lucan's poems are, the words in which he describes this feature in Caesar's character are truly great.<sup>1</sup> Pompey could not bear to see Caesar standing beside him, and Caesar could not endure the pretension of Pompey to stand above him, for he knew how infinitely inferior he was. His talents were of the most varied kind: he possessed an unparalleled facility and energy in the exercise of all his faculties: his extraordinary memory is well known. He had great presence of mind, and faith in himself and his fortune; this gave him an undoubting confidence that he would succeed in every thing. Hence most of the things he did bear no impress of labour or study. His eloquence, for instance, and his whole style are not those of any school; every thing was with him the mere exercise and development of his innate powers. He was, moreover, a man of uncommon acuteness and observation, and of great scientific acquirements; all his knowledge was obtained at a time when it had a real interest for him, and engaged all the great powers of his mind. As a prose writer,

Caesar stands forth as the greatest master in Roman literature in the γένος ἀφελές; and what Cicero says of him in his Brutus<sup>2</sup> is true and altogether excellent. His style (*sermoni propior*) is that of the conversation of a highly educated and accomplished man, who speaks with incomparable gracefulness and simplicity. His speeches must have been of the most perfect kind. Posterity has been more just towards his talents than his contemporaries: Tacitus had a thorough appreciation of him.<sup>3</sup> It is no slight honour to grammar that Caesar took a great interest in it. If we had his work on "Analogy," we should probably find that it surpassed the productions of the grammarians, as much as his history surpasses all similar works recording the exploits of their authors. I have already remarked that his military genius burst forth at once, and without previous training. Caesar was one of those healthy and strong characters who have a clear perception of their objects in life, and devise for themselves the means of obtaining them. Far from being an intriguer, like most men of his time, he was the most open-hearted being in existence. In his connections with others he knew nothing of intrigues; and this led him to overlook many things which he would not otherwise have failed to observe. Many of his acts of violence were only the consequences of previous carelessness, openness, and confidence in others. His humanity, mildness, and kindness of heart were manifested after his victory in a manner which no one had anticipated; and these qualities were realities with him: they were not artificially assumed, as they were by Augustus, who was a mere actor throughout his life. Had Caesar been

<sup>1</sup> *Pharsal.* i. 125: *nec quemquam jam ferre potest Caesarve priorem, Pompeiusve parem.*

<sup>2</sup> *C.* 71, foll.

<sup>3</sup> See his *Annales*, xiii. 3, *Germania*, 28.

born on the throne, or had he lived at a time when the republic was not yet in so complete a state of dissolution, and could have been carried on—for instance, in the time of Scipio—he would have attained the object of his life with the greatest éclat. Had he lived in a republican age, he would never have thought of setting himself above the law; but he belonged to a period when, as the poet says, he had no choice between being either the anvil or the hammer; and he had of course no difficulty in making his choice. It was not Caesar's nature, as it was Cicero's, to go with the wind; he felt that he must master events, and could not avoid placing himself where he stood: the tide of events carried him thither irresistibly. Cato might still dream of the possibility of reviving the republic by means of the *faex plebis*, and of carrying it on as in the days of Curius and Fabricius: but the time for that was gone by.

With regard to Caesar's military career, it cannot be denied that he acted unconscientiously. His Gallic wars are, for the most part, truly criminal: his conduct towards the Usipetes and Tenchteri was horrible; and that towards Vercingetorix deplorable, the consequence of an unhappy ambition. These and similar acts are to be lamented, and are altogether unjustifiable, though they may be accounted for by the views then entertained in respect to the Gauls; but towards his fellow-citizens he was never guilty of such conduct. The ruling party acted towards him not only foolishly, but very unjustly. They ought not to have opposed his suing for the consulship from Gaul; and if he had obtained it peaceably, it would not only have been better than Pompey's second and third consulships, but would probably have been tranquil and beneficial to the state. If there was any means of remedying the condition of the republic—which, in my opinion, was almost impossible—Caesar was the only man capable of devising and applying it. His mildness towards many, and especially his generous conduct towards Cicero, who had greatly provoked

him, shew a very different spirit from that of Pompey, whose vanity was hurt by the merest trifles. Cicero had every where joined Caesar's enemies; but Caesar would nevertheless have been glad to take Cicero with him to Gaul, in order to protect him.

But notwithstanding the benevolence and amiableness which he shewed on all occasions, Caesar was a demoniac, who went on in life with a passionate rapidity. His extravagance, for example, in his aedileship, not for himself, but for the people, was immense; and this made him dependent upon others, especially upon Crassus, who advanced him enormous sums. If, during his consulship, there had been a party desirous of making themselves independent of Pompey's influence, and of honestly attaching themselves to Caesar, his consulship would not have been marked with any stain. It was then customary to give the consulship *in rebus urbanis*, and the office was thus to Caesar a loss of time, for his object was to get a province, which, according to the custom of the time, he could not enter upon till after the expiration of his year of office. In that year, Q. Vatinius, who was tribune of the people, caused, with a violation of the law then not uncommon, the whole of Illyricum and Cisalpine Gaul to be given to Caesar as his province for five years; afterwards Transalpine Gaul, which was not yet a Roman province, was added to it.<sup>4</sup> This was the first instance of a province being assigned to a proconsul for a definite period longer than one year; for Pompey had hitherto always had his provinces for an indefinite time.

In his consulship, Caesar carried several popular laws, and founded a colony at Capua.<sup>5</sup> It is difficult to conceive how Capua, ever since its conquest in the second Punic war, could have remained in that singular

<sup>4</sup> Scholia Bobiens. in *Vatin.* p. 317, ed. Orelli; Sueton. *Caesar*, 22; Dion Cassius, xxxviii. 8; Appian, *De Bell. Civil.* ii. 13.

<sup>5</sup> Vell. Paterc. ii. 44; Sueton. *Caesar*, 20; Appian, *L. c.*, ii. 10; Cicero, *ad Atticum*, ii. 16.



condition, in which the land and the buildings upon it were the property of the Roman republic. The houses may have been let; but the land was cultivated by hereditary occupants, on condition of their paying the tithes of its produce. The republic, however, always retained the right to take the land back, and to make such new arrangements as were thought useful or necessary. Two attempts had already been made to change this state of things. The first was a proposal of M. Brutus, in Cinna's consulship; the second was made by Servilius Rullus, who in Cicero's consulship had proposed that the *ager Campanus* should be divided among the Roman citizens; but Cicero had opposed this scheme of establishing a colony. When Caesar brought forward his bill concerning the colony at Capua, Cicero declined being appointed one of the commissioners who were sent to superintend the establishment of the colony.<sup>6</sup> Caesar took this as a great personal insult; and the two men thus became, for a time, alienated from each other. But the enmity would soon have passed over, had Cicero been willing to accompany Caesar to Gaul. Cicero's brother, Quintus, who did go with Caesar, was always treated by him with especial favour. Caesar afterwards again endeavoured, on all occasions, to give Cicero proofs of his attachment and devotion to him. But Cicero was kept at Rome by his evil star. Caesar's colleague in the consulship, M. Calpurnius Bibulus, was an honest man, but narrow-minded and obstinate; and Caesar's relation to him was exceedingly unpleasant.

The year following was that of the unfortunate consulship of L. Calpurnius Piso and A. Gabinius, two men whom we may truly call ἀλιτῆροι, or sinful, and what Cicero says of them is no declamatory exaggeration. They literally sold Cicero to Clodius, who promised to secure to Piso the province of Macedonia; and to Gabinius the rich province of Syria, with the prospect of restoring Ptolemy Auletes

to his throne. The consuls accordingly assisted Clodius in his detestable rogations which were directed against Cicero. Clodius then accused Cicero of having put to death Roman citizens without a trial.<sup>7</sup> I have already stated that the case of Catiline and his associates was a *manifestum delictum*, that according to the old criminal law no further trial was necessary, and that Cicero was undoubtedly justified in putting them to death. But the *leges Porciae*, of which there were three,<sup>8</sup> the last of which had probably been enacted by L. Porcius in the social war, had, it may be, introduced a modification, according to which a Roman citizen could not be put to death in all places. In former times a person might evade the sentence of a popular court by withdrawing to a municipium; but since the Italians had obtained the franchise, a change in this respect had become necessary, and in Cicero's time we actually find that it was the current opinion, that a true citizen could not legally suffer the penalty of death. It was, therefore, according to the Porcian law, either altogether illegal to put a citizen to death, or it was commanded that, if absolutely necessary, he should be executed on the spot. Hence, it might have been urged against Cicero, *quod civem Romanum necasset*, but there would have been no reason for adding *indemnatum*; for the crime was a *manifestum delictum*. However, whether justly or unjustly, Clodius brought forward the accusation.

Every body withdrew from Cicero. Pompey went into the country, and kept aloof from all Cicero's friends. Caesar was absent in Gaul; and M. Crassus bore a deep grudge against Cicero: he was implacable because he had been mentioned in connection with the Catilinarian conspiracy;<sup>9</sup> and

<sup>7</sup> Vell. Patere. ii. 45; Livy, *Epit.* 103; Dion Cassius, xxxviii. 14; Plutarch, *Cicero*, 3, foll.

<sup>8</sup> Cicero, *De Re Publica*, ii. 31: *tres sunt trium Porcorum*. Compare Orelli, *Onomast. Tullianum*, iii. p. 251, foll.

<sup>9</sup> Asconius, in *Cic. in tog. cand.* p. 83, ed. Orelli. Compare Sallust, *Catil.* 17.

<sup>6</sup> Cicero, *ad Atticum*, ii. 19.

it was a general opinion, not without foundation, that Crassus had been an accomplice. Cicero himself had not been guilty of any malice; for he had only repeated the evidence of the witnesses, who stated what was true. It is one of the beautiful features of Cicero's great soul, that he loved P. Crassus, the son of his enemy, without any regard to circumstances; he heartily wished young Crassus to rise in the republic and become great. Cicero could not await the day of trial, for he would have been irrecoverably lost. The concilia no longer consisted of honest country people, but of the lowest rabble, who allowed themselves to be driven by their leader in whatever direction he pleased. Cicero was obliged to quit Rome, in order to save his life. The senators, bad as they were in other respects, shewed great sympathy for him, and encouraged one another. Cicero, however, was condemned; and Clodius followed up his victory, because he saw that the government had no power. He destroyed Cicero's houses and villas, and offered his property for sale, but no one would purchase. He then dedicated a chapel of Liberty on the Palatine, on the site of Cicero's house,<sup>10</sup> which I have discovered; that is to say, I know the place, within about fifty feet, where the house must have stood, and have often visited the spot. Clodius outlawed not only Cicero, but all those who should afford him any protection. Cicero at first wished to go to Sicily, but the praetor of that province, who had formerly been his friend, was too cowardly; he therefore went to Macedonia, and lived with the quaestor Plancius, who received and treated him like a brother. Clodius kept the promise he had made to the consuls: Gabinius obtained Syria, and Piso Macedonia.<sup>11</sup> Clodius himself robbed with the greatest impudence

whatever he pleased. This lasted as long as he was in office.

The year after, public opinion turned so much in favour of Cicero, indignation was expressed so loudly, and so many petitions were sent in from all quarters, that he was formally recalled. His return was a triumph which comforted him for the moment. He felt happier than ever; but his happiness did not last long: misfortune had made a deep impression upon him. The speeches which he had delivered the year before his misfortune, especially that for L. Flaccus, who was a man of too different a turn of mind from his own to be his friend, but who had assisted him in suppressing the Catilinarian conspiracy, are as interesting as that for Murena. In the latter, we see Cicero's quiet satisfaction and happiness, the result of what he had accomplished; whereas the former is pervaded by a suppressed and deep grief, the consequence of his feeling that, after all, it had been of so little advantage to him to have saved his country, and that it had even endangered his life. His happiness was disturbed the very year after his return. The internal condition of Rome grew worse and worse. Pompey was now friendly towards Cicero, but only because he had fallen out with Clodius. Pompey and M. Crassus were anxious to obtain the consulship a second time. All the *viri boni* opposed this scheme by all means; but it was realised by violence, in the same manner as Saturninus and Glaucia had formerly gained their ends. L. Domitius, a brother-in-law of Cato, who was likewise a candidate, was intimidated by armed soldiers when he was going to attend the elections. His servant, who bore the torch before him, was cut down before his eyes, to intimate to him that he had to expect the same fate, if he persisted in his suit for the consulship.<sup>12</sup>

In this manner the two pillars of the

<sup>10</sup> Cicero, *ad Atticum*, iv. 2, *pro Domo*, 41, foll. In the reign of Claudius the house was restored, but was again destroyed in the fire of Nero.—N.

<sup>11</sup> Cicero, *in Pison*. 16; Plutarch, *Cicero*, 30.

<sup>12</sup> Dion Cassius, xxxix. 27, foll.; Plutarch, *Cato Min.* 41, foll., *Pomp.* 52; *Crassus*, 15; Appian, *De Bell. Civil.* ii. 17; Vell. Patern. ii. 46.

optimates entered upon their second consulship, which is marked in history by many acts which no one can justify. The consuls caused provinces to be given to themselves for five years by a lex Trebonia:<sup>13</sup> Pompey obtained Spain, and Crassus Syria, with the command in the war against the Parthians. This unconstitutional act received its punishment afterwards, for Crassus fell in the war against the Parthians, and Pompey, too, laid the foundation of his own ruin. In order to conciliate Caesar, the administration of his provinces was likewise prolonged to him for five years more. It was a painful thing for Cicero to be obliged to speak in favour of this arrangement about the provinces, merely for the sake of maintaining peace; but experience had taught him to yield to necessity.

The state of anarchy and internal convulsions went on increasing at Rome; and things came at last, in the year 701, to such a point, that not only was it absolutely impossible to hold the elections (which had often happened before), but that Pompey was appointed sole consul, a thing which had never yet occurred. In this consulship, which was his third, Pompey carried several laws, especially one concerning *res judicariæ*, the particulars of which, however, are but very imperfectly known, and I have never been able to form a clear notion of it; but this much is certain, that it greatly increased the number of equites, from among whom the jury were taken.<sup>14</sup> The mode of proceeding in the courts of justice was also modified by these laws, and the powers of the pleaders seem to have been increased.<sup>15</sup> His law *de ambitu* was ridiculous; for it was a notorious fact, that no man could obtain the consulship unless he purchased it; and it almost appears as

if it had only been Pompey's intention to prevent a certain grossness or licentiousness in the commission of the crime.

It was shortly before the third consulship of Pompey, that Milo, the descendant of an ancient Sullanian<sup>16</sup> family, met Clodius, his mortal enemy, on the road leading from Rome to the modern Albano. Each was accompanied by a band of men to protect him in case of an attack, just as our nobles used to travel in the 16th and 17th centuries. In a severe struggle which took place, Clodius was fatally wounded and died. This gave rise to a fearful tumult, and Milo was charged with having murdered him. Pompey, wishing to prevent Milo from obtaining the consulship, for which he was then a candidate, declared against him. Cicero undertook his defence; but the measures which had been taken by Pompey intimidated him to such a degree that, for the first time in his life, he lost his self-possession while pleading the cause of his client. Milo went to Marseilles into exile: he afterwards returned under Caesar; but having taken part in an insurrection against him, he was killed.<sup>17</sup>

In the following year, Cicero was compelled, though with great reluctance, to accept the proconsulship of Cilicia. This province was then in a highly dangerous position on account of the Parthians, who since the death of Crassus had been unrestrained, and threatened to overwhelm Cilicia. Cicero was disgusted at the idea of living in a half-Greek province, in a corner of Asia Minor, the nobles of which had but a short time before been the captains of pirates. The death of M. Crassus falls ten years after Cicero's consulship.

<sup>13</sup> The gentes of the Italicans now begin to appear in the Fasti: Trebonius is a Lucanian name; Asinius Pollio, Munatius Plancus, and others, likewise came from Italian towns.

—N.

<sup>14</sup> Asconius, in *Pison*. p. 16.

<sup>15</sup> Sallust, *De Re Publ. Ord.* ii. 3, 7, 12 (?).

<sup>16</sup> This mysterious expression occurs in all the MS. notes, whence I am unwilling to suppress it. It is well known that Milo was a native of Lanuvium, and adopted into the family of the Annii, whereas he himself belonged to the Papia gens. It seems that the epithet Sullanian refers to his being married to Fausta, the daughter of the dictator Sulla.

<sup>17</sup> Caesar, *De Bello Civil.* iii. 22; Vell. Patern. ii. 68; Dion Cassius, xlii. 25.

## LECTURE CVII.

I HAVE to mention one curious fact about Caesar, namely, that not one witty saying of his is recorded; whereas a great many, which are no doubt genuine, and are at any rate very peculiar and excellent, are ascribed to Cicero.

Some time before the second consulship of Pompey, Caesar, Pompey and Crassus had held a congress at Lucca, at which each of them appeared accompanied by a mighty train of followers. Here they had concluded a peace, and determined on the fate of the republic. This fact at once discloses to us the condition of the state. In order to secure the maintenance of peace, Caesar had given his daughter Julia in marriage to Pompey; but, two years after the treaty of Lucca, she died in child-bed, and her child followed her soon after to the grave; an event which rent the tie between Pompey and Caesar completely asunder. Caesar's affection as a father was so great, that he would have brooked anything if his daughter had remained alive.

With regard to his campaigns in Gaul, I have only to refer you to his own commentaries on the Gallic war, with the supplement of A. Hirtius, a work which every scholar must have read. It is written with such conciseness and brevity, that if I attempted to abridge it, as I should be obliged to do if I were to give an account of those campaigns, nothing would be left but a miniature outline. I strongly advise you to read Caesar's account of his Gallic wars as often as you can, for the oftener you read it, the more will you recognise the hand of a great master.

Much yet remains to be done for the works of Caesar, and a critical edition is still a desideratum. Our materials are of very different value. Many of the manuscripts which contain the *Bellum Gallicum* have already been col-

lated, but a still greater number of them have not been consulted; and the collation of them is an undertaking which I can strongly recommend to young scholars, and which they will find of very great advantage. In Italy, and especially in the Vatican library and at Florence, the manuscripts of Caesar are very numerous, and mostly very old; many of them have never yet been collated. The English manuscripts have been consulted by Davis and others; but they are, on the whole, of much inferior value, and belong to a very recent time. The manuscripts of the *Bellum Civile* may be traced back to a single family of manuscripts; with extremely few exceptions they have all the same gaps, and a collation would yield but few results. The work *De Bello Civili* is also ἀκέφαλος in all MSS. The first sentences, as they now stand, were patched up in the middle ages to supply the deficiency, a fact which has been recognised by Davis and Ouden-dorp. I once proposed a prize essay upon the other historical works usually connected with those of Caesar, but the problem was not solved. I will briefly tell you my opinion about them. The last book of the commentaries on the Gallic war, and the book on the Alexandrine war, are, as is proved by their style and diction, the production of one and the same author, that is, of A. Hirtius. There is no ground whatever for ascribing them to Pansa. A. Hirtius was a highly educated man, and well able to execute such works. They belong to the most excellent compositions in the Latin language: they are in the highest degree classical; and the language, like that of Caesar, is such as was spoken by the best educated and most eminent men of the time. The book on the African war I assign, without hesitation, to C. Oppius; it is very instructive, and the author is an intelligent man, a good



officer, and highly trustworthy; but the language is quite different from that of the work on the Alexandrine war: there is a certain mannerism about it, and it is on the whole less beautiful. C. Oppius was the companion of Caesar in all his wars, and one of his dearest friends. At the time when Caesar's power had reached its height, he and Oppius were travelling together, and arrived at a small farm-house. Oppius was ill, and Caesar made him spend the night in the only room that was to be had in the house, while he himself slept outside in the open air.<sup>1</sup> This is a natural feature in his character, and quite free from affectation. The author of the book on the Spanish war is unknown: it is certainly the production of a person who did not belong at all to the educated classes; but it is, nevertheless, highly interesting on account of its language, which is nothing else than the common language of the Roman soldiers. It is an abridgment of a diary kept by some narrow-minded person during the war, and is altogether a remarkable and singular piece of composition.

When Caesar went to Gaul, its inhabitants were in great commotion. Languedoc and Provence, Dauphiné and Savoy, the country of the Allobrogiens, were under the dominion of Rome. The Allobrogiens called on Caesar to assist them against the Helvetians, whose emigration is one of the most remarkable phenomena in ancient history. A person of wealth and distinction persuaded the whole nation to abandon their native land, and endeavour to conquer a new country for themselves in Gaul, not with the view of tilling the new land in the sweat of their brows, but of making themselves its lords, and of compelling the conquered inhabitants to cultivate the soil for them. This must have been their intention, if we consider the state of dissolution in which Gaul was at the time. An additional motive may have been the fact, that they apprehended in their Alpine country

an invasion of the Suevi, who had already begun to stir, and against whom they would have had to defend themselves under unfavourable circumstances, or to seek the protection of the Romans. But it is nevertheless strange that a whole nation—in an individual it would not be very surprising—could be induced to destroy their towns and villages, and to abandon their homes; and that afterwards, when their leader had perished, they still persisted in carrying out their plan. United with the Tigurini they marched towards southern Gaul. But I must be brief: how Caesar treated with the Helvetians—how he obstructed their march towards the Roman province—how he followed and defeated them in two battles, and compelled them to capitulate, after a fearful massacre, in which the Romans took vengeance on the Tigurini for their having joined the Cimbri—all this may be read in detail in the first book of his commentaries on the Gallic war. The power of the Helvetians was broken, and the survivors were obliged to return—a frightful end of a fantastic undertaking! All that can be said to account for their forming such a wild scheme, must be gathered from a careful examination of the condition of Gaul. The Gauls consisted of a great number of isolated nations; and as France is now the most united and most compact state in Europe, so ancient Gaul was the most distracted and broken up of all countries. We have to distinguish in Gaul the Aquitanians, who were Iberians, in Guienne; the Iberians mixed with Celts in Languedoc; Celts and Ligurians on the Rhone; Ligurians on the coast of Provence; and Celts or Gauls occupying the whole country from Languedoc to the north of France. I think, however, that Caesar's statement, that all the inhabitants from the Garonne in the south, to the Seine and Marne in the north, were Gauls, is incorrect, and believe that Cymri, or Belgae, inhabited Britany as early as that time: their emigration from Britain in the fifth century of our aera is certainly fabulous. The Cymri were in reality

<sup>1</sup> Sueton. *Caesar*, 72.

quite foreign and hostile to the Gael, or Celts. There is nothing surprising in the Gael having maintained themselves in Britany; for originally they occupied the whole country north of the Seine and Marne, but were afterwards torn asunder by the Celts, who pressed forward from the south to the north.

In former times the Arverni had been the ruling people, and in possession of the supremacy in the remaining free parts of Gaul; the other nations were in a state of dependence on them, resembling the relation which at one time had existed between Sparta and the rest of Peloponnesus. Afterwards the Aedui rose by the side of the Arverni, just as in Greece Athens rose to dispute the supremacy with Sparta. As soon as the Romans began extending their dominion beyond the Alps, they had recourse to their usual policy of bringing about divisions in foreign countries, and encouraged the Aedui to share the supremacy with the Arverni. The Aedui had been on terms of friendship with the Romans in the year 631, when the Arverni and the Allobrogians carried on their unfortunate war against the Romans; and it must have been on that occasion that the Aedui were honoured with the title of friends and brothers of the Roman people. The Aedui then became great, for a time, at the cost of the Arverni; and when their power declined, that of the Sequani, the inhabitants of Franche Comté, rose, and this occasioned the invitation of the German tribe of the Suevi into Gaul. The Arverni never recovered their former position. Gaul, as I have already remarked, was in a state of dissolution, and may have been exhausted by emigrations, although emigrations do not, in times of prosperity, exhaust a country, unless they be like that of the Helvetians; for even if we suppose that as many as two-thirds of the inhabitants of a country emigrate, the population will, if circumstances are not unfavourable, be restored to its original numbers in a period of from seventy to eighty years.

The causes which then induced the

German tribes to cross the Rhine are hidden in utter obscurity. They formerly inhabited a vast extent of country, which probably reached as far as the valleys of the Alps, before the Gauls occupied those districts. The passage of Livy,<sup>2</sup> in which he states that the valleys of the Pennine Alps were inhabited by Germans is a proof of this: they must have been overpowered by the Celts, for the Germans had not gone there as a conquering nation. Ariovistus had settled in the country of the Sequani, and his mode of acting was the same as that which we afterwards find always adopted by the Germans. He divided the land for cultivation between the old inhabitants and his own people, some of whom cultivated it themselves, while others employed the conquered to do it for them. The Aedui and Sequani now implored the protection of Caesar against him. Caesar entered upon the undertaking, although it was a very bold one, for the Suevi were held to be irresistible; but he did so just because it was a difficult matter. He took upon himself what he had legally no right to do as proconsul, for Ariovistus had been recognised by the Roman people as sovereign king in the year of Caesar's consulship. The soldiers of Caesar looked forward with great apprehension to the decisive moment, but they gained a complete victory in the neighbourhood of Besançon, in which most of the Suevi were killed; the survivors fled across the Rhine, whither Caesar was wise enough not to follow them.

Caesar now commanded seven legions, with as many auxiliary troops as he had been able to obtain from his allies,<sup>3</sup> and he had the administration, not only of all the countries north of the Alps, but of Cisalpine Gaul as far

<sup>2</sup> xxi. 38.

<sup>3</sup> *Socii* are now no longer mentioned in the Roman armies, but only *Auxilia*, and there is a great difference between the two. The *Socii* were now true Roman legionaries, and were armed in the Roman fashion; whereas the *Auxilia* formed cohorts, and the majority of them did not bear Roman arms, but had their own national weapons.—N.

as Romagna and the foot of the Apennines—the country of the Ligurians did not belong to his province—and Illyricum, as far as the frontiers of Macedonia, while on the side of the barbarians, Illyricum had no boundaries at all, the whole forming an empire not inferior to the greatest in modern Europe. After his victory over the Germans, something must have happened which excited the fear of the Belgians, that he would turn his arms against them. In his own account, no mention is made of anything of the kind. It always appears, on the contrary, as if the Gauls might have remained quiet without any danger, and that they themselves were ill-disposed towards the Romans. All the Belgians between the Seine, Marne, and Rhine, with the exception of the Remi, the most distinguished tribe among them, rose in arms against the Romans. My belief is that the Remi intrigued with Caesar, in order to obtain, through his influence, the supremacy among the Belgians, whereby the other tribes would have been reduced to a sort of clientship. The condition of Gaul is excellently described by Caesar. The Belgians and Gauls were weak nations, because the mass of the population was not free. The nation consisted of druids, knights, and serfs: the last of these classes often fought very bravely; but on many occasions they shewed that they had no desire to make any sacrifice for their country, for they could not forget that they were serfs. When provoked, they would often fight like lions, but they had no perseverance. As regards the Nervii, however, we might almost believe that they had no serfs. Caesar decided the fate of the Belgians in two battles, on the Aisne and Sambre, and penetrated into the modern Brabant, the country of the Nervii, who fought very gallantly, but nearly their whole nation was extirpated.

The Aedui and Arverni, and, in fact, most of the nations as far as the sea-coast, now tacitly recognised Rome's supremacy. Caesar took up extensive winter quarters among the Belgians, from whom he expected more

serious opposition. There he again came in contact with the Germans. The Usipetes and Tenchteri had come across the Rhine, and made war upon the Belgians on the Meuse. Caesar, being always ready to avail himself of such an opportunity, advanced against them; and it is against these tribes that Caesar committed one of the foulest acts of his life. His own account shews his guilt. He negotiated with them, and required their leaders to appear before him. When they came honestly and without suspicion, he treated them as prisoners, and attacked the people while they were without their leaders. His excuse is detestable. This base act was afterwards discussed in the senate at Rome; and Cato is said to have proposed that Caesar should be delivered up to the barbarians, to atone for his violation of the laws of nations;<sup>4</sup> but the motion led, of course, to no result.

Another expedition was undertaken against the Veneti, a seafaring people about the mouth of the Loire, for which Caesar had a fleet built in that river. This war, like all his Gallic wars, was carried on with great cruelty, and the Veneti were conquered. Soon after his fraudulent treatment of the Usipetes and Tenchteri, he undertook his first invasion of Britain, which had long been known under this name. The Phoenicians of Gades traded with Britain on account of its tin mines in Cornwall, which are the only ones in Europe, with some insignificant exceptions in the Harz mountains and the Saxon part of the Erzgebirge.<sup>5</sup> Britain was believed to be a perfectly inaccessible country, though, besides the

<sup>4</sup> Plutarch, *Caesar*, 22; Appian, *De Rebus Gall.* x8.

<sup>5</sup> Tin occurs elsewhere only in the East Indies, in the peninsula of Malacca and the island of Banca. All the tin which the ancients used seems to have come from Britain, for there is nothing to suggest that they received it from India. It was used for the purpose of alloying copper, the use of calamine for the same purpose being a later discovery. How ancient the art of founding bronze must have been, may be inferred from its being mentioned in the description of the temple of Solomon and the tabernacle; and this art presupposes the use of tin.—N.

Phoenicians of Gades, the Veneti also carried on a considerable commerce with the Britons.<sup>6</sup> The tin trade was also carried on either entirely by sea, by way of Gades, or by land, by way of Narbonne and Nantes. None of the inland and northern parts of Britain, however, were ever visited. It flattered the fancy of Caesar to subdue this country which no enemy had yet set his foot within. Much booty he could not expect, and the tin district was in a very distant part of the country. Kent and Sussex, which he entered, were then exceedingly poor, and had neither gold nor silver, whereas the Gauls possessed great quantities of the former metal. The success of his undertaking was very insignificant, and he nearly lost his fleet. The ships were badly built, and the Romans were unacquainted with the nature of that part of the ocean where, especially in the British channel, the tides are so strong. Caesar, however, landed in Britain, defeated the half-naked and badly armed barbarians, and accepted their apparent submission, in order to be able to return to Gaul. He afterwards made a second attempt, but with little better success than the first time, though in the second invasion he penetrated beyond the river Thames, probably somewhere above London, in the neighbourhood of Windsor; but, having received some hostages, he returned to Gaul, and no sooner had he quitted the island than the submission of the Britons ceased.

Caesar twice crossed the Rhine in our neighbourhood [Bonn], once against the Sigambri, and a second time against the Suevi, but neither of these expeditions yielded any advantageous results, a thing which is not to be wondered at; but it is very surprising that it was possible for a Roman army to penetrate into those wild countries, where a forest extended, without interruption, from the banks of the Rhine to the interior of Poland. The Westerwald is really the western part of that immense forest, and was for a time the southern frontier be-

tween the Germans and Celts. It cannot have been booty, but only ambition, that tempted Caesar to make conquests on the east of the Rhine.

While Caesar was in Britain, the oppression and licentiousness of the soldiers caused the great insurrection of the Eburones under Ambiorix, which was at first completely successful. The Eburones destroyed one whole Roman legion, under L. Titurius, while another under the command of Q. Cicero was brought into great danger; and would probably have been annihilated had not Caesar returned from his somewhat Quixotic expedition to Britain. The Aquitanians, on the other hand, were subdued by M. Crassus. Caesar was thus master of all Gaul when he entered on the seventh year of his proconsulship; but a great insurrection now broke out among tribes which had before been the friends of the Romans. It was headed by Vercingetorix. The description of this war is in the highest degree worth reading, on account of the horrors which attended it; the fury and immense exertions with which the struggle was carried on on both sides; and especially on account of the proofs which it affords of Caesar's greatness as a general. His military superiority enabled him to destroy numberless hosts of the enemy. He does not give a detailed account of the operations, yet it occupies the whole of the seventh book, which consists of ninety chapters. The whole country, from the Saone to the ocean, and from the Loire to the Cevennes, was in arms. The war was conducted by the Aedui and Arverni, who had formerly always been rivals, but the Aedui joined the insurrection later than the Arverni. Vercingetorix, an Arvernian, had the supreme command, and was worthy of his post. The breaking out of the insurrection was accompanied with acts of great cruelty and savageness. At Genabum, the modern Orleans, all the Romans were put to the sword. Caesar was at the time in the north; but he quickly assembled his troops and marched to the south, and the Belgians, notwithstanding the opportunity

<sup>6</sup> Caesar, *De Bell. Gall.* iii. 8.



they now had for shaking off the Roman yoke, remained perfectly quiet. Caesar conquered Orleans, and took revenge for the murder of the Romans. He then captured Avaricum (Bourges), after a long siege and a brave defence on the part of its inhabitants, and advanced into the interior of Auvergne. The war was carried on for a long time in the neighbourhood of Gergovia, above Clermont. Here Caesar suffered a defeat : one legion was cut off, and he was obliged to raise the siege. As the Aedui likewise now revolted, the war was transferred to Alesia, in the neighbourhood of Autun and Langres, in the country of the Aedui. Many thousand Gauls flocked to Alesia. Caesar besieged it with all the military arts that he could devise. The great Vercingetorix pressed him on the other side with a very powerful army. The issue of the contest was very uncertain. Caesar himself, on one occasion, fell into the hands of the Gauls ; and it was only owing to a piece of good luck, or to the work of Providence, that he escaped, through the folly of a Gaul. This is the account which Caesar himself afterwards gave of the affair ;<sup>7</sup> but it is more probable that it was an occurrence similar to that which happened to Napoleon in the month of May, 1800, when, being on a reconnoitering excursion with his staff, he fell in with an Austrian patrol, the officer of which was induced by bribes to let his prisoners escape. When famine had reached its highest point at Alesia, and the troops who were sent to its relief became desponding and dispersed, Vercingetorix, whom I hold

to be one of the greatest men of antiquity, had the magnanimity to come forward among the citizens of Alesia, and to request them to deliver him up to the enemy as the author of the war, and advised them to endeavour to save their own lives. This was done accordingly, and Vercingetorix surrendered himself. When he appeared before Caesar, he reminded him of their former acquaintance and mutual esteem ; but Caesar here again acted badly. He ought to have treated his enemy in a different manner from that which the Romans had adopted towards C. Pontius : he ought to have been more than a Roman, and have kept him somewhere in *libera custodia* ; instead of this, however, he ordered him to be chained, and dragged him about with him until his triumph, and afterwards had him put to death.

After Caesar had gained this victory, there occurred some trifling insurrections, and the Belgians also now began to stir when it was too late ; the Bellovaci, in the neighbourhood of Beauvais and Chartres, also rose, but it was an easy matter for Caesar to conquer them. In these occurrences we cannot help seeing the finger of Providence, which made Rome great, and intended to bring all the then known nations under the dominion of Rome. The subject-nations always acted either too early or too late. Had Vercingetorix deferred the insurrection of the Gauls but a few years, and waited till the outbreak of the war between Caesar and Pompey, the Gauls might have recovered their freedom ; whereas now their strength had become exhausted, and during the time of the civil war no one was able to move.

<sup>7</sup> Serv. *ad Virg. Aen.* xi. 743.

## LECTURE CVIII.

WHEN his term of office in Gaul was coming to a close, Caesar's relations to the republic were so unfortunate, that it was beyond human power to end them in a happy or satisfactory manner. It had been difficult even for Scipio, after his victory, to live as a true citizen in the republic, and to know what line of conduct to adopt; but the difficulty was infinitely greater for Caesar, who had for a series of years been in the exercise of an unlimited command in a great country, and had been accustomed to act like a sovereign prince. It is by no means an easy thing to lay aside such habits when they are once acquired, as we may see even in the far less important circumstances of ordinary life, where the termination of a certain position, and the transition to another, are connected with incredible difficulties. All that Caesar could lawfully obtain was a second consulship, which he felt would confer on him nothing but an empty honour, for what could he have done with himself and the republic? He might, it is true, have withdrawn from public life, and employed his time in the cultivation and exercise of his great mental powers. He had not been at Rome for the last ten years; for had he gone thither, his imperium would have ceased: and all that he had heard of Rome, and of those who had the power in their hands, made him only hate and despise the government. Even if he had merely lived among those men, many of whom were really bad, he could not have borne all their pretensions and insolence: the state of things was in short so complicated, that no one could anticipate a happy solution of the difficulties. We cannot blame those men who thought with horror of the consequences if Caesar should acquire the supreme power in the republic; but his opponents, instead of endeavouring to bring about a reconciliation, shewed

towards him every symptom of hostility, which must have provoked him in the highest degree. Even as early as the year 701, the consul, M. Claudius Marcellus, lost no opportunity of insulting Caesar. On one occasion, a magistrate of Como in Cisalpine Gaul, to whom Caesar, by virtue of a right which had been transferred to him, had shortly before given the Roman franchise, came to Rome; and although the man was perfectly innocent, Marcellus had him flogged, as though he had been the lowest provincial, merely to insult Caesar.<sup>1</sup> This was a significant hint to Caesar himself.

In the following year, 700, C. Claudius Marcellus, a nephew of M. Claudius Marcellus, was consul with L. Aemilius Paullus. In the same year, C. Scribonius Curio, the son of the consul of the same name, was tribune of the people. Among Cicero's letters, there are some addressed to him by Curio, a man of great talent, but of the most decided profligacy and immorality. This judgment is surely not too severe. He had at first belonged to the Pompeian party, with which he was connected by ties of relationship and by other circumstances; and he was considered the most hostile and decided among the adversaries of Caesar. But the latter knew that Curio was overwhelmed with debts, which amounted to nearly half a million sterling. This gives us a notion of the extent of private property at that time; for a noble Roman might, without difficulty, obtain the means to pay a debt like that, if he received an imperium. Caesar is said to have paid Curio's debts, and to have thus gained him over to his side. In the same manner, Caesar bought over the consul L. Aemilius Paullus

<sup>1</sup> Plutarch, *Cass.* 29; Appian, *De Bell. Civil.* ii. 26.

with an enormous sum.<sup>2</sup> Such proceedings afford some insight into the state of anarchy in the administration of the provinces. The time for rendering an account was when the proconsul returned from his province, and had celebrated his triumph. This had been the case from the earliest times, and still remained so, whatever might have been the number of years during which he had been invested with the imperium: but the account required of him related only to the sums which the senate had granted to him out of the aerarium. The proconsul had to prove that the soldiers had received their pay, and had no further claims upon the republic. People had expected at first that Curio would direct his power as tribune against Caesar. But he was exceedingly clever and adroit, and assumed an appearance of neutrality: he at first did use his power against Caesar; he then directed it against both Pompey and Caesar; and at length he threw off the mask, and openly declared for the latter.

In the following year, Caesar's proconsular imperium was to terminate, and he now offered himself as a candidate for a second consulship; but, as he wished previously to celebrate his triumph, he would not disband his army, just as Pompey had done after the war against Mithridates; for no Roman general could triumph without his army; according to some irregular custom which had been established in the seventh century, he demanded to become a candidate while he was in his province with the imperium. He then intended after his election to return with his army to Rome, celebrate his triumph, and then disband his army. In order to prevent such irregularities, it had been ruled, we do not know when, that no one

should be allowed to sue for the consulship, while at the head of an army. His opponents, therefore, required him to lay down his imperium, as he might afterwards petition for a prolongation, and to disband his troops, a demand which was equivalent to asking him to renounce his triumph. He was to come to Rome as a private person, and in that character sue for the consulship; but he was convinced that his life would be lost if he complied with this demand. Now, the proposal of Curio was, that both Pompey and Caesar should lay down their imperium, disband their armies, and come to Rome in the character of private citizens. This was the fairest proposal that could have been made, but Pompey's party replied that his imperium had a longer period yet to last than that of Caesar, and that therefore the two men could not be placed on a footing of equality. It was a misfortune for Rome that Pompey, who was then severely ill, did not die, as his friends apprehended. He was so popular, or perhaps so much feared, that all Italy offered up prayers for his recovery. Pompey assumed the appearance of being ready to yield, but lamented the manner in which he was treated by Curio. When Curio put the question to the vote, as to whether both were to lay down their imperium, an immense majority of 370 senators answered in the affirmative, while only twenty-two voted against it.<sup>3</sup> But the consul Marcellus rejected the decree; the state was in perfect anarchy and dissolution. Marcellus was a champion for the authority of the senate, and nevertheless he refused to acknowledge that authority: the supporters of Pompey decried rebellion, while they themselves were the worst revolutionists, whenever things did not go on as they wished. It is generally observed that, when the government displeases the faction which claims for itself the title of supporter of the government, that faction immediately calls upon the people to revolt, and even goes so far

<sup>2</sup> Appian, *De Bell. Civil.* ii. 26; Plutarch, *Caes.* 29; Suetonius, *Caes.* 29; Dion Cassius, xl. 60; Vell. Paterc. ii. 48; Val. Maximus, ix. 1, 6. With this sum, Paullus built the Basilica Paulli in the Forum. The splendid columns of the church of St. Paul, which perished in the fire of 1823, undoubtedly once belonged to this basilica, as Nibby believes.—N. Comp. Bunsen, *Beschreib. der Stadt Rom*, vol. iii. pt. 2, p. 110.

<sup>3</sup> Appian, *De Bell. Civ.* ii. 30.

as to preach regicide, as De Lamennais has done in his last work. I have heard persons of the *droite* in France speak like Jacobins, at a time when they reckoned upon leading the populace : they asserted that the commonest people possessed an incredible degree of intelligence, that they evinced the highest interest in the public good, just like the best-educated persons, and that it was necessary humbly to defend the holy cause with the assistance of the lowest classes. The optimates of Rome, or the faction of Pompey, were persons of precisely the same kind ; they were thorough *populaciers*. Curio had not indeed made his reasonable proposal from any honourable motive, for he saw no help for himself except in the ruin of the state ; but the Pompeian party too wished for confusion.

Among the tribunes of the year following, there were some detestable persons who had sold themselves body and soul to Caesar, and among them was the frightful M. Antony, afterwards the triumvir. The senate had already given Pompey the command to raise an army in Italy for the protection of the republic, but through his want of resolution he effected nothing. On the 1st of January of the year 703 the question was again discussed in the senate, as to what was to be done about the provinces. The party of Pompey was predominant : he had troops in the city, and through his influence it was resolved that Caesar should be commanded to lay down his imperium. The tribunes opposed the decree, which they had a perfect right to do, but they were not listened to, and the consuls had recourse to personal threats against them. The fear of the tribunes only made them worse ; and, perhaps exaggerating the danger, they fled from Rome to Caesar, who was then at Ravenna, on the frontier of his province of Cisalpine Gaul.<sup>4</sup>

The people at Rome, and especially

Pompey and his party, believed the most absurd reports, which told them exactly the contrary of what was really the case. It was thus reported and believed that Caesar's soldiers were highly discontented and wished to be disbanded, that they were enraged against Caesar for keeping them in arms so long without necessity, and that they were not numerous, and completely exhausted by their long and difficult service. All these things and many more were firmly believed, because people wished them to be true. Caesar, indeed, had not more than 5000 foot and 300 horse with him,<sup>5</sup> partly because he wished not to frighten the people of the province, and partly because he did not like to evacuate Gaul ; but now, when he heard of the last decree of the senate, and when the arrival of the tribunes enabled him to make up his mind, he gave orders that all his troops should break up and join him. It is almost inconceivable that the Gauls, who had revolted at the time when there were eight or ten legions in their country, now remained so perfectly quiet ; but their intention probably was to allow the Romans to destroy their own strength, and then to rise against them. Caesar had, before this time, given up to the senate two legions, which were to be sent to Syria. He had offered, even at the end of the year, to disband his army, with the exception of two legions, or even one ; to resign his province of Transalpine and Cisalpine Gaul ; and to retain only Illyricum and Gallia Cispadana, if Pompey would lay down his imperium in like manner ; but all proposals were rejected, Pompey's case was not to be touched upon at all ; and hypocrisy insisted on the letter of the decree being obeyed.

When the tribunes arrived at Ravenna, and Caesar received the command of the senate to return to Rome and give up his army to his successor, L. Domitius Ahenobarbus,

<sup>4</sup> This appears very strange, as all the country south of the river Po had the Roman franchise, so that Caesar's province comprised a large district which was completely Roman.  
—N.

<sup>5</sup> Caesar, *De Bell. Civil.* i. 7, 12 ; Plutarch, *Caes.* 32, *Pomp.* 60 ; Appian, *De Bell. Civil.* ii. 32.



he feared lest on his arrival at Rome he should be brought to trial; his passion gained the upper hand and he resolved to break up. He marched towards Rimini. On arriving at the banks of the river Rubicon (the bridge was probably in the neighbourhood of Cesena, beyond Rimini),<sup>6</sup> he hesitated for a while, doubtful whether he should sacrifice himself or venture upon the unconstitutional act; he was probably actuated more by the desire to save himself than to rule; at length, however, he crossed the river, and Rimini opened its gates to him. This was an unexpected event, for his enemies had made no preparations in those districts, and confidently believed that the soldiers would desert Caesar and join Pompey, whose popularity was thought to be still as great as it had been before. But things had assumed a completely different aspect; and Pompey had lost his position in public estimation. The soldiers of Caesar, on the other hand, shared the ambition of their commander, for they knew well that they had fought in greater wars and battles than those of Pompey. We can scarcely imagine a more remarkable contrast than that between the state of Italy thirty years before, and the condition which it presented at the outbreak of the civil war. The Italian allies had disappeared in the wars of the time of Sulla, which had been carried on for nearly three years between the two great parties which divided Italy; on the advance of Caesar's small army, no one moved a finger. His cohorts, which were few in number, quickly overran all Italy; for the inhabitants of the municipia and other places were as unwarlike then as they are at the present day. One of the causes of Caesar's success may also have been the circumstance, that Sulla's legions in the military colonies were more inclined to side with the great general than with Pompey; but the main cause was the total absence of all feeling. No one had any interest in the

success of either party; for the people had gradually become convinced that it was useless to fight for justice, and their condition was so sad that no one had anything to protect or to lose. Persons of a military disposition had some reason for supporting Caesar; but for Pompey no one could feel any enthusiasm. Nobody had suspected that things would come to this. Pompey had hoped to make an impression by vaunting phrases; he had declared that he need only stamp the ground with his foot to raise up an army; but when the tidings arrived that Caesar was advancing on the Flaminian road, Pompey and all the senators could think of nothing but flight. They had no other army than the small one of L. Domitius, who was to have gone to Gaul and to have received the army of Caesar, which was now advancing irresistibly towards the city.

Cicero, who had some time before returned from Cilicia, now endeavoured to act as mediator; but no one listened to his counsels, though they were the best and most wholesome that could be given; and in fact, if peace had been possible, it could have been established only on Cicero's plan. The party of Pompey fancied that they could not and ought not to defend themselves at Rome, and that they ought to allow Caesar to act in Italy as he pleased, because he would be sure to incur the hatred of the people, and thus call forth a reaction against himself. Pompey had seven legions in Spain, under the command of Afranius and M. Petreius; but he was of opinion that they ought not to be withdrawn from that country, but that fresh forces ought to be concentrated in Greece, and money raised in the East. Africa was, like Spain, occupied by his party, and it was confidently hoped that Gaul also would rise against Caesar; and the Pompeian party thus calculated, to their great satisfaction, that Caesar would work out his own ruin in Italy.

Pompey went to Brundisium. The army of L. Domitius was besieged by Caesar in Corfinium. Even here the state of public opinion became manifest, for Domitius was forsaken by his troops,

<sup>6</sup> There are several small rivers in that district, and the inhabitants dispute as to which is the Rubicon.—N.

who capitulated for themselves, and obtained a free permission to depart; most of them, however, went over to serve in the ranks of Caesar, and the rest were allowed to go whither they pleased. Caesar thus rendered it easy for every one to take up arms for him or to remain quiet. He was expected at Rome with the utmost fear. Cicero's letters of this period are particularly interesting and instructive; they shew the tyranny of the Pompeian faction, for whosoever wished to remain at Rome was denounced as an enemy of his country; it was proclaimed that no neutrality would be recognised, and that after the victory every one who had not joined the camp of Pompey should be proscribed. Caesar, however, did not go to Rome, but marched from Corfinium to Brundisium. Pompey had wished to keep Brundisium, in order to have a place of arms and a landing-place for his fleet, in case Caesar should go to Spain. The Pompeian party undoubtedly imagined that Caesar would not venture upon a siege, as he had scarcely any ships, whereas the whole of the Eastern world with its fleet was at the command of Pompey, who collected his fleet in the port of Brundisium. Caesar was obliged to attack him; and he did it with such resolution and energy that Pompey thought it necessary to quit the town and cross over to Illyricum. This step afforded Caesar immense advantages, for Brundisium had hitherto been faithful to the interests of the Sullanian party, of which Pompey was the representative.

Caesar now went to Rome, where he acted as absolute master. He had the treasury broken open, as the keys were concealed: he appointed magistrates and disposed of everything like a sovereign monarch. The opposition of the tribune, L. Metellus, and of his friends, who intended to act a comedy of liberty, was put down without much ceremony. Before Caesar's arrival, everybody at Rome had apprehended that the nephew of Marius would follow in the footsteps of his uncle; but he did not act with harshness towards any one. All who were at

Rome and trusted to him were perfectly safe so far as he could secure them; but this was not the case in other parts of Italy, where everything was not under his personal control. Many of his soldiers and their officers were guilty of great atrocities; and public opinion in those places began to turn against Caesar.

After having hastily made the most necessary arrangements at Rome, he marched through southern Gaul into Spain. The generals of Pompey did not even come as far as the Pyrenees to meet their enemy; they had seven legions, and were far superior to him in the number of their forces. Caesar had left troops to besiege Marseilles, which was not absolutely necessary, for the town would have remained neutral; but he may have owed the town a grudge for something it had done before, and he demanded of its inhabitants the recognition of his party. As they refused compliance, he left two legates to lay siege to the place. This siege, which is accurately described by Caesar in the second book of his *History of the Civil War*, is a remarkable example of the mode of besieging a town employed at that time, which was very different from the Greek method. After a long siege, and not till Caesar's return from Spain, the town was compelled to surrender. He did not destroy the town, nor treat the inhabitants with cruelty, but only made them give up their arms, and deprived them for a time of their free constitution. The triumph over them was very disgraceful, for the Massilians had always been cordial allies of the Romans.

Afranius and Petreius were stationed at Ilerda in Catalonia. Caesar brought all his military talent into play against them, but conquered them in reality by his own kindness of heart; for he caused so great a desertion among the enemy's troops, that in the end their commanders were obliged to capitulate. Afranius, an insignificant person, was the first to urge the necessity of entering into negotiations. Petreius, on the other hand, would hear nothing of it, and even inflicted severe punishments

upon those of his men who showed any desire to treat with Caesar. But his opposition was of no avail; and as the legions would, in the end, have completely deserted him, the legates capitulated for themselves and M. Varro, on condition of their evacuating Spain. The soldiers who were unwilling to serve in the army of the conqueror obtained a free departure, but most of the men remained with Caesar, who thus became at once master of all Spain.

Cato, who had been praetor of the province of Sicily, had left the island; and after his withdrawal, C. Curio, who had the command against him, went over to Africa, where he was opposed by the Pompeian commander, Attius Varus, and the Numidian king, Juba, who was a client of Pompey. This expedition of Curio came to a deplorable end. He had taken two legions to Africa; but desertion among his troops, his own unskilful management, and various misfortunes, brought about his defeat and death in a battle against King Juba. The remainder of his troops dispersed, most of them were taken prisoners, and only a few returned to Sicily.

On his return to Rome, Caesar was made dictator, but the form in which the appointment was made is not the same in all accounts.<sup>7</sup> He did everything with the utmost rapidity, and within a very short time made the

most necessary regulations at Rome, enacted several welcome laws, some of which were very reasonable; as, for instance, the one by which debts were made to represent property, and which prevented money retaining its original value, when the value of other property had fallen. With this view he appointed a commission to determine the value which landed property had had previously to the Civil War, and ordained that creditors should accept such lands as payment for their outstanding debts at the value determined by the commissioners. I also believe the statement<sup>8</sup> that he deducted the interest already paid to be correct, for it was a thing which had often been done before. A number of other measures were likewise calculated to supply real wants; and he introduced them because he felt that it was his duty to do so. After his army had returned from Spain to Italy, and new legions had been formed out of those who had deserted to him, Caesar marched towards Brundisium to attack Pompey. It was now nearly a twelvemonth since Pompey had quitted Rome. He had not only collected the Romans from all parts of the empire and formed them into camps, but had also an extraordinary number of auxilia, and in addition to this, he had a large fleet, by which he commanded the sea, and to which Caesar had nothing to oppose; but unfortunately for Pompey, his generals shewed great awkwardness in conducting the war.

<sup>7</sup> Caesar, *De Bell. Civil.* ii. 21, iii. 1; Dion Cassius, xli. 36; Appian, *De Bell. Civil.* ii. 48; Plutarch, *Caes.* 37; Cicero, *ad Attic.* ix. 15.

<sup>8</sup> Sueton. *Caesar*, 42.

## LECTURE CIX.

POMPEY had spent the winter at Thessalonica, and his army in Macedonia; but his main strength consisted in his fleet. The Rhodians, as well as many other states and subject-towns in Greece, still possessed their fleets, and all these, together with that of Egypt, were at the disposal of Pompey. M. Calpurnius Bibulus, who had been Caesar's colleague in the consulship, had the supreme command of the united fleet. As Caesar had scarcely any ships, it was hoped that it would be impossible for him to cross

the Adriatic with an army, and that, as some had been forced to do in former times, he would be obliged to march through Dalmatia, where he would be opposed by Pompey's ablest general, M. Octavius. But here, again, Caesar endeavoured to act in an imposing manner, and thereby to turn the balance in his own favour. Just as in the first Punic war, the Romans had not been afraid to sail to Sicily, although the Carthaginians were masters of the sea, so now Caesar did not hesitate to avail himself of any ships that could be got, however bad they were, and thus succeeded in crossing over into Illyricum. Bibulus was an able man, and deserves praise for his personal character, for he did his duty; but was not sufficiently active and watchful. Caesar's whole conduct was eminently characteristic of the man. Every great general, like every great painter, has certain peculiarities which characterise him, just as much as every man is characterised by his own hand-writing. Caesar's peculiarity was that, in cases when a quick resolution was necessary, and his forces were not yet assembled, he always ventured upon a battle with the part of his forces which was ready to act, in order to gain a firm footing, until all his forces should be collected. This principle he followed in his passage to Illyricum, and afterwards also in going to Egypt and Africa. One of the features of a truly great general is the ability to calculate the magnitude of what he ventures to undertake, and how much he can effect with the means he has. Thus Caesar appeared unexpectedly with a small squadron at Oricum, an Epirot or Greek town, on the southern frontier of Illyricum, in the corner of the Acroceraunian Gulf. Here he landed, and after taking possession of the place, he immediately set out towards Apollonia, which opened its gates to him; for his mere name was the great herald that went before him, and no one suspected that he had come over with only a few thousand men. There he established himself: an attempt

ever, did not succeed so easily, for Pompey hastened from his winter quarters, and endeavoured to repel or surround Caesar with his numerous forces. As Caesar's orders that the troops should immediately follow him from Italy, where they were assembled, had not been obeyed, he was in great difficulty, and he himself attempted to cross over that dangerous and stormy part of the sea in a small boat of twelve oars: he struggled for a whole day against storm and waves; but the thing was impracticable. The immediate execution of the orders he had given to his officers was of the utmost consequence; but Gabinius, despairing of its possibility, disobeyed them. He hesitated at first, and then commenced his march round the Adriatic; but at Salona, in Dalmatia, he fell in with M. Octavius, and was defeated. M. Antony, however, succeeded in passing close by the fleet of Bibulus, and, with the loss of only a few ships, reached the eastern coast of the Adriatic. Bibulus had been taken ill, and died soon afterwards.

Although his forces were still very inferior to those of Pompey, Caesar advanced towards Dyrrhachium, and ventured to besiege Pompey, by forming lines of circumvallation around the place. This was an undertaking which Pompey could not much care about, as he received his supplies from the sea, while Caesar, who had no such means of providing for his army, was obliged to forage in the neighbouring country. He tried to bring the war to a close at Dyrrhachium, but was unsuccessful; and when he made an attack upon the place, he was repulsed with considerable loss. Pompey at that moment shewed resolution: he gained a part of the line of fortifications which had been constructed by the besiegers, and thus destroyed the blockade. Caesar's loss on that day was very great; his soldiers began to despond, and he himself nearly despaired of success. The soldiers were suffering from extreme want of food, and lived upon grass<sup>1</sup> and roots.

<sup>1</sup> Grass must be taken here in its widest

on Epidamnus or Dyrrhachium, how-



Caesar himself afterwards said that he had not only been beaten on that day, but that Pompey might have decided the victory, if he had known how to follow up his success. This opinion is quite correct; but Pompey had become old and dull, and had lost the power to justify the enormous pretensions he still made.

After this catastrophe, Caesar could not continue the war at Dyrrhachium; and he now ventured upon an expedition which, if it had failed, would have been mentioned among rash and inconsiderate acts, such as, for example, the expedition of Charles XII. of Sweden to Pultowa. He broke up from Dyrrhachium, and went to places where he could reckon upon no one, and where he had to conquer every inch of ground. Pompey undoubtedly expected that Caesar would return to Illyricum, and there join his other troops: but, far from doing this, he marched towards the lofty mountains between Epirus and Thessaly, and advanced irresistibly as far as the town of Gomphi in Thessaly, which closes the pass from Janina to Thessaly. Gomphi was taken by storm, and the soldiers now recovered their confidence, and refreshed themselves with the rich booty. The destruction of this town induced all the Thessalians to surrender, and Caesar obtained provisions in abundance. Pompey ought now to have returned to Italy: the number of his troops far surpassed that of his enemy; and if he had had any judgment he would have made himself master of Italy, particularly as he knew that a portion of the legions in Spain, which had been formed out of the troops of Afranius and Petreius, had revolted against Caesar. If Pompey had at that time established himself, with his fleet, in Italy, Caesar would never have been able to return to it. But Pompey had no resolution, and the men by whom he was surrounded were beside themselves with joy when

they heard that Caesar was marching towards the mountains, where they thought he would be caught as in a trap.

Pompey, therefore, followed Caesar into Thessaly, where the latter had already taken his position, in the neighbourhood of the wealthy town of Pharsalus; and here the hostile armies met each other. For a few days they only manoeuvred; as Caesar was in want of provisions, and as Pompey's cavalry was far superior to that of Caesar, the position of the latter was again very difficult. The advice of the most prudent among the friends of Pompey was to wait patiently, and gradually to destroy the army of Caesar by famine, desertion, and the like. This was Pompey's own opinion also; but most of his officers and friends were so childish and intoxicated with their thoughts of victory, that they considered moderation or caution to be a disgrace to themselves. The senators in the camp of Pompey, who were quite ignorant of war, firmly believed that the issue of the contest was already decided, and discussed the advantages which each of them was to derive from the victory. Like the French emigrants in 1792 at Coblenz and in Champagne, those senators disputed, for example, which of them was to have Caesar's office of pontiff, and which was to obtain this or that estate after the proscriptions which they intended to institute on their return to Italy; these and similar disputes were carried on with so much earnestness that they even gave rise to quarrels among the senators. Caesar was very anxious to bring matters to a speedy decision: he had the highest confidence in his own talent as a general, and felt a contempt for Pompey, as he then was, and for those who surrounded him. The Pompeian party themselves rendered a battle unavoidable, and that so hurriedly that Caesar had scarcely time to call back three legions which he had sent to Scotusa for the purpose of foraging.

The accounts of the battle which now took place differ widely from one another. The best is, of course, Caesar's own description, though we

sense, meaning salad. In the south, people frequently live upon bread and salad, with some vinegar and oil, and the poor of those countries are perfectly satisfied and happy with this food. Caesar's troops of course had no oil or vinegar.—N.

may believe that the charge of Asinius Pollio<sup>2</sup> is not wholly unjust; according to whom Caesar is not always accurate: he may have exaggerated the numbers, but this much is certain, that Pompey was very superior in numbers. It is not at all improbable that Caesar had not more than 22,000 infantry, and that Pompey had about 40,000, besides his auxilia consisting of Greeks and Asiatics, which however were of no use, as Pompey seems to have been ashamed to allow them to take part in a battle between Romans. Pompey's cavalry also was much more numerous than that of Caesar, who, however, had some good Gallic and German horsemen; and it is a well-known fact that, in reality, the German horsemen decided the issue of the battle. The cavalry of Pompey, on the other hand, consisted, for the most part, of young Romans and volunteers, who had perhaps never seen an enemy before, and were therefore like children in comparison with Caesar's veterans. The statement, that Caesar ordered his men to aim at the faces of these young men to make them afraid of losing their beauty,<sup>3</sup> must not be taken literally. Caesar opposed the enemy's cavalry not only with his own horse, but also with his infantry, which he had trained to hold out against cavalry. His cohorts warded off the first attack, and then the Gallic and German cavalry were let loose against the enemy. We may imagine their delight in being thus allowed to take vengeance upon the Romans. The left wing of Pompey's army was first defeated; and that so completely that the right, too, which till then had fought with considerable success, could not maintain its ground. The Pompeian army fled back to their camp, foolishly believing that all was now over, and that Caesar would not venture to prosecute his victory any further. But when it was observed that the conquerors did not indulge in plunder, but were advancing in order

of battle towards the hostile camp, all dispersed in confusion, and Pompey jumping up in a great rage exclaimed, "Not even here then will they leave us." The whole army was routed, and no one had the presence of mind to keep together even a cohort. During the battle itself, Caesar had given orders that no harm should be done to those who did not flee or make any resistance; whole cohorts thus laid down their arms, and the enemy's camp was found full of Asiatic luxuries and all kinds of comforts; many of the tents were arbours provided with costly carpets and furniture, and the booty was immense. You will not easily find the date of the battle of Pharsalus mentioned any where; it is a day remarkable for great events, and is known from Foggini's *calendaria*, the tenth of August,<sup>4</sup> according to the old calendar, which was reformed by Caesar two years later; so that it is impossible to say what day it really was, though it must have been in June.

Pompey fled from the battle-field of Pharsalus to Larissa, and embarked with his generals either there or at Thessalonica. He sailed to Mitylene, where he met his wife Cornelia; his intention was to go to Cilicia and Cyprus, and thence to the Parthians. This most cowardly plan, however, was opposed by his friends; and he saw no place of refuge except Egypt. He should have gone to his fleet, which was yet complete, have sailed to Africa, and have continued the war there; but Pompey was quite broken down, and resolved to take refuge with the king of Egypt, Ptolemy Auletes, who had once been expelled in an insurrection of his people, but had been restored by Gabinius through the connivance of Pompey, to whom he was accordingly under great obligations. He had sent a fleet to Pompey,

<sup>4</sup> v. *id.* *Sextil.* that is, the 9th of August, according to the *Calendarium of Amiternum* in Foggini, pp. 112, 153. Not having the book at hand, I take the reference from Fischer's *Röm. Zeittafeln*, p. 272, which agrees with that in Orelli's *Inscript.* vol. ii. p. 397.

<sup>2</sup> In Sueton. *Caes.* 56.

<sup>3</sup> Plutarch, *Pomp.* 69, 71, *Caes.* 45; Appian, *De Bell. Civil.* ii. 76.

but had withdrawn it after the battle of Pharsalus. He had since died, leaving two daughters, Cleopatra and Arsinoë, and two younger sons, one of whom bore the name of Ptolemy Dionysus, and was not advanced beyond the age of boyhood. Cleopatra, his ambitious sister, was ordered by the will of her father to marry her elder brother, according to the common custom of incest among the Macedonian kings at Alexandria, and to rule over Egypt conjointly with him. But as he was very domineering and endeavoured to deprive her of her share in the government, he, or rather his guardians, Achillas and Pothinus, had expelled her. She had fled to Syria, where she was collecting an army to effect her return by force of arms. Young Ptolemy and his guardians were at this time encamped near Mount Casius, on the frontier of Syria, to oppose Cleopatra. Pompey's evil genius led him to the camp of Ptolemy. There was at that time in Egypt a Roman of the name of L. Septimius, whom Gabinius had left behind as commander, at the time when he led Ptolemy Auletes back to Egypt. This Septimius advised the young king to have Pompey put to death, in order to secure by this sacrifice the favour of Caesar, who would reward him with the crown of Egypt. Such advice was just suited to the mind of an Alexandrian prince. Septimius was sent out with a boat to receive Pompey. All his companions were suspicious, and he himself had some presentiment of the fate which awaited him; but he was so confused and bewildered, that he resolved to enter the boat and follow Septimius. He was murdered before he reached the coast, and his body was cast away unburied.

Caesar had continued his pursuit without ceasing, and with a few companions he arrived in Egypt, which again was one of the boldest undertakings. The account of the Egyptians surrendering to him Pompey's head and ring is well known; and history has not forgotten Caesar's tears. I will not deny that the issue of the war had delivered him from

great anxiety; for however much he might have been inclined to make peace, it would probably never have been established, and the war could not terminate otherwise than with the destruction of Pompey; but if I consider Caesar's kind heart, I feel convinced that his tears were sincere. He had the body of Pompey buried, but in the tumult and confusion of the moment the erection of a monument was not thought of; and if Caesar had erected one, it would almost have looked like a farce. Pompey's family, however, which continues to be mentioned in history even in the time of Tiberius, caused a humble monument to be raised to him. In the reign of Hadrian it was buried in sand, and the statue had been removed to a temple, but Hadrian had it restored.<sup>5</sup> There is an epigram consisting of two distichs relating to Pompey's tomb. It cannot be otherwise than a genuine ancient poem, and is in my opinion one of the most beautiful epigrams that have come down to us:—

Marmoreo Licinus tumulo jacet, at Cato  
nullo.

Pompeius parvo. Quis putet esse deos?  
Saxa premunt Licinum, levat altum fama  
Catonem,

Pompeium tituli. Credimus esse deos.<sup>6</sup>

Caesar now proceeded to Alexandria, whither he was to be followed by his troops. The periodical winds, which last till the dog-days, and blow full sixty days in the Mediterranean, are north-west winds, and prevent ships sailing from Alexandria. Caesar's despatches could not therefore reach Rhodes. The people of Alexandria consisted at that time of the most licentious and audacious populace that one can imagine; they combined all the vices of the East with those of the

<sup>5</sup> Appian, *De Bell. Civil.* ii. 86; Spartianus, *Hadrian*, c. 14.

<sup>6</sup> H. Meyer, *Anthologia Veterum Latinorum Epigram. et Poemat.* No. 77, where the epigram is ascribed to P. Terentius Varro Atacinus. (The Licinus here mentioned was a barber, an upstart, who had become very rich, and had a magnificent monument erected to himself.—N.)

West. The Graeco-Macedonian population had been extirpated for the most part under Ptolemy Physcon, and there only remained the disgusting Alexandro-Egyptian race. The eunuch Pothinus, who was then regent of the kingdom, conceived the plan of overwhelming Caesar, who had only a few troops, and whose situation at Alexandria was similar to that of Cortez in Mexico. Caesar was in possession of the king's palace, and here he fortified himself until assistance came. The insurrection at last became general. The palace was set on fire, and the library, which had been founded under Ptolemy Philadelphus, was burnt to ashes. The struggle in the streets was fearful: the danger in which Caesar was thus placed, the boldness with which he destroyed the entrance to the port of Alexandria, his narrow escape, his taking of the island of Pharos, and his maintaining himself there until reinforcements arrived, all this is pleasantly and vividly related by A. Hirtius, in his book on the Alexandrine war. Caesar at last succeeded in making himself master of Alexandria, which he compelled to surrender; and he placed Cleopatra, who had ensnared him by her coquetry, and her younger brother, on the throne. Her elder brother, Ptolemy, whom he had been obliged to dismiss from the palace, and whom the Egyptians had proclaimed their king, perished in the

Nile, fortunately for Caesar. Cleopatra afterwards received still greater favours from Antony.

While he was still in Alexandria, Caesar heard that Pharnaces had invaded Pontus from the Bosporus, and defeated Domitius Calvinus, the general of Caesar. Caesar hastened through Syria into Pontus, where he met the enemy. On the very day of his arrival, and without allowing himself any rest, he attacked the enemy, and the Asiatics were routed in a moment. It is of this victory that he sent to Rome the famous account, *veni, vidi, vici*.<sup>7</sup>

He now returned to Rome for the first time since his departure from Brundisium, made various arrangements, did many things to please his friends, and appointed a provisional government; which was, indeed, highly necessary, for the leaders of his own party differed very widely in their views and plans, and formed rather a motley assemblage. During his absence, they had undertaken the most contradictory things; but I shall not here dwell upon the insurrections of Milo, Caelius Rufus, and Dolabella, which had occurred in his absence, but had been quickly put down: I shall mention them afterwards.

<sup>7</sup> Appian, *De Bell. Civil.* ii. 91; Sueton. *Caes.* 37.

## LECTURE CX.

CAESAR did not remain at Rome very long. The servility of the senate and people conferred upon him the most senseless and extravagant distinctions; the whole republic was placed in his hands. In their excuse, however, we must say that the people could not help becoming attached to him, on account of his great and unexpected mildness: they also knew, on the other hand, that if Pompey had been the conqueror, he would have caused a

general massacre, like that of Sulla. Caesar, on the contrary, so far as he was able, protected those who had fought against him: and as many were yet living in exile, he empowered each of his friends to restore one of the hostile party to his former position and honours in the republic. Those who were thus restored had, indeed, lost much of their property, but it had not been in Caesar's power to prevent this. A great many still



remained in exile, whom he allowed to return one after another. The senate conferred honours upon Caesar at three different times; but of this I shall speak when we come to his last stay at Rome, after his return from Spain.

While he was at Rome, he had to quell a dangerous insurrection among his troops, who were too impatient to wait for the triumph and the advantages they hoped to derive from it. The tenth legion, his favourite one, which he had brought over to Italy in order to take it with him to Africa, revolted, and the veterans, whose period of military service was over, demanded not only the arrears of their pay, but also the rewards in money and the assignment of lands which Caesar had promised them. The mutiny became dangerous. Sallust, the historian, was sent by Caesar to the revolted soldiers with fresh promises; but he was insulted by them, and several senators were killed. Caesar now had the courage to allow the mutineers, who had been stationed in Campania, to come to Rome, on condition that they should leave behind their pila, and bring with them only their Spanish swords. He addressed the soldiers in the forum; and his self-possession, as well as the confidence which he shewed that he still had in them, made such an overawing impression upon them that they became perfectly submissive. He treated them, however, with symptoms of contempt, called them *Quirites*, and announced to them that they were dismissed from service, leaving it however to their choice whether they would once more share with him the honour of a campaign. Hereupon, the soldiers almost unanimously implored him to allow them to continue in his service.

Caesar now went with a small part of his forces to Africa, where M. Cato, Q. Metellus Scipio, the father-in-law of Pompey through his fifth and last wife Cornelia, Afranius, and Petreius, were prepared to meet their enemy. After the battle of Pharsalus, Cato, who had not been present at the battle, had gone from Dyrrhachium to Cor-

cyra, and thence to Cyrene, where he collected a number of scattered Romans. The men whom he thus assembled were more distinguished for their high rank than their military spirit. Cyrene, in a secluded part of the world, had scarcely the honour of being regarded as a Roman province. Cato led his band round the Syrtes over Tripolis, and through the sandy deserts—a fearful and difficult march—into the Roman province of Africa. Here the supreme command of the Pompeian forces was offered to him, but he declined it, and undertook only the command of Utica. When Caesar landed, the party of Pompey had a considerable army, and were allied with King Juba, who ruled over the greatest and most beautiful part of the kingdom of Jugurtha. Mauretania was governed by Bogud; and in his dominion there was a Roman adventurer, of the name of P. Silius of Nuceria, with other Roman deserters and adventurers, of whom Silius had formed a regiment, which, in conjunction with King Bogud, gained a victory over Juba, and declared for Caesar, whose proceedings were thus greatly facilitated. P. Silius was a very enterprising man, and Caesar rewarded him with the rights of a Roman citizen.<sup>1</sup> Silius infested the dominion of Juba, who was thus kept engaged, while Caesar established himself on the coast of Tunis. The reinforcements which were expected gradually joined Caesar, and he then advanced against the Pompeian generals. The campaign lasted for several months, until Caesar took his position in the neighbourhood of Thapsus, a fortified town, which is situated on a peninsula, connected with the main land by a small isthmus. Here he was blockaded by Petreius, Afranius, Scipio, and Juba, who occupied the isthmus, and cut him off from the main land; but he broke through the hostile army, first defeated the Romans, who were infinitely superior to him in numbers, and then routed

<sup>1</sup> See some remarks which I have made upon him in my edition of Fronto.—N. p. xix. foll.

the army of Juba. No sooner was the battle won than hosts of Romans deserted to him—a thing which commonly happens in civil wars. Juba was so reduced that he was obliged to flee from his kingdom, and as all was over, he and Petreius killed each other.

Cato alone was now holding out at Utica with the Roman garrison which he did not wish to abandon. I have purposely deferred speaking of Cato till now. If there is any man in Roman history who deserves the reputation which he enjoys with posterity, it is Cato. Caesar's depreciation of him was only the pardonable consequence of his personal irritation. If we possessed Cicero's work on Cato,<sup>2</sup> we should undoubtedly see Cicero's heart in all its goodness and amiability. It does honour to his courage to have written such a work under the circumstances; and it does honour to Caesar also that he was unprejudiced enough to allow Cicero to express his admiration of Cato, without imputing it to him as a crime. Caesar declared that Cato had injured him by his death, as he had thereby deprived him of the pleasure of pardoning him: Caesar could not have said anything more concise. It is, on the other hand, no more than natural that Caesar should have been deeply wounded by Cicero's praise of Cato, and this feeling induced him to write his work against Cato (*Anti-Cato*), in which he may have given the reins to his passion, which would never have arisen in his soul if Cato had remained alive. There was, in fact, nothing that Caesar was more desirous of than Cato's friendship, a desire which Cato could not gratify. The Stoic philosophy never produced any heroes among the Greeks. If we except Zeno, the founder of the school, and Cleanthes, not one Greek statesman was a stoic philosopher. Among the Romans, on the other hand, many a great and virtuous statesman was a votary of the Stoa; and although

some of them, such as Cicero, were not real Stoics, yet they admired the system and loved it. It would be a most unpardonable misapprehension of human virtue, if any one were to cast a doubt upon the sincerity of Cato's intentions; and this sincerity is not impeached by the assertion which has often been made, and I think with great justice, that Cato with his philosophy did incalculable injury to the commonwealth. He would have retained the old forms absolutely, and have allowed nothing which bordered upon arbitrary power. There is no doubt that in this manner he estranged the equites from the senate, after Cicero had succeeded with great difficulty in reconciling the two parties. Cato thus tore open the old wound by opposing a demand of the publicani in Asia which was not unjust, merely because he considered it advantageous to them. This produced a breach which was never healed. Cato's advice to put the accomplices of the Catilinarian conspiracy to death was not mere severity, but a pure expression of his sense of justice, and perfectly in accordance with the laws of Rome; but it was nevertheless very unfortunate advice. Such was his conduct always, and it was a principle with him not to pay any regard to circumstances; the consequence of which was that, when his opinion was followed, many things turned out far worse than they had been before. His personal character was above all censure and suspicion; dissolute persons, such as A. Gabinius, might laugh at him, but no one ever ventured to calumniate him.

It was highly unfortunate for him, even while Pompey was alive, that he was mixed up with the Pompeian party; and now that Pompey was dead, his situation was downright miserable. The men of that party acted in Africa like savages, and Cato saved Utica from their hands with great difficulty; for the leaders wished to plunder the town, because its inhabitants were said to be favourably disposed towards Caesar, but in reality because they hoped thereby to secure

<sup>2</sup> It was after Cato's death that Cicero wrote the celebrated "*Laudatio M. Catonis*."  
—N.

the attachment of the soldiers. The inhabitants of Utica thus looked up to him as their deliverer. He had undertaken the command of the place only for the purpose of protecting it, and he pacified the mutineers by promising that the place should remain quiet, and that, if it were spared, it would not be ungrateful. When Caesar, after the conquest of his other enemies, appeared before Utica, Cato advised his people not to continue their resistance. The generals and the men capable of bearing arms had taken to flight, and Cato's opinion was that the garrison, which consisted for the most part of old men and unprincipled young nobles who were incapable of handling a weapon, should sue for pardon. His own son received the same advice from his father, who thus shewed a very amiable inconsistency in his conduct; for here the father got the better of the Stoic. Cato excused himself by saying that he had seen the days of the republic, and could live no longer; "but my son," he added, "who is a stranger to the republic, can live in different circumstances." He then withdrew to his room, and spent the night preceding the morning when the gates were to be thrown open, in reading Plato's *Phaedo*, assuredly not for the purpose of strengthening his belief in the immortality of the soul; for a person who does not possess that belief will never acquire it from reading the *Phaedo*, and Cato had undoubtedly read it so often that he knew it by heart; but in that awful and sublime moment, in which he was to breathe out his soul, it was less the thought of immortality that engaged his attention, than the contemplation of the death of Socrates, though he believed in immortality as taught by the Stoics. He took leave of the world while directing his mind to the last moments of one of the most virtuous men of all ages. He then inflicted a mortal wound upon himself, in consequence of which he fell from his bed. When his son and friends found him, they raised him up and dressed his wound; he pretended to sleep, but took the first opportunity to

tear open the wound, and died almost instantly.

After the surrender of Utica, the other towns soon followed its example. Juba, the son of King Juba, surrendered to Caesar, and afterwards received such an excellent education at Rome that he became one of the most learned men of his age. The loss of his historical and geographical works is one of the greatest that we have to lament in ancient literature, for he was a perfect master of the Punic language, and undoubtedly gave in his Greek works the substance of the historical books of the Carthaginians.

Meantime fresh disturbances had broken out at Rome, the origin of which were the quarrels between Antony and Dolabella, of whom the one was as bad as the other. It was Cicero's great grief that Dolabella was his son-in-law. Caesar therefore went to Rome and restored peace; but he was soon called away, and went to Spain against Cneius and Sextus, the sons of Pompey, both of whom had been in Africa, and had gone thence to Baetica, where a legion, formed of the remnants of the African armies, had revolted against Caesar's generals. Their example was followed by others, and the greater part of southern Spain was soon in arms. Many towns readily joined the Pompeian party, but the towns even of the same province could not agree upon their course, as they had done in the time of Sertorius; and it was this absence of union among them that paralysed the party of Pompey in all the wars between it and Caesar. The war in Spain, however, was by far the most important and most difficult for Caesar. It is quite astonishing to see the men of the Pompeian party fight in Spain with a bitterness and vehemence of which there had been no trace before, although all their hopes of success must now have vanished. The beginning of the war is described in the barbarously written book *De Bello Hispaniensi*. Caesar was obliged for several months to exert all the powers of his mind. The scene of action was Granada and Andalusia, or more pro-

perly speaking, it was almost confined to Granada. The northern mountains of Granada are nearly impregnable; and it was there that the sons of Pompey had established themselves. Cneius, who had the supreme command, displayed greater qualities as a general than his father. The battle of Munda, on the 17th of March, was the termination of the civil war; but Caesar was on the point of losing it: his soldiers gave way so decidedly, that he himself gave up all hope. In his despair he jumped from his horse, and placing himself in the way of the fugitives, called upon them to run him through with their swords, and at least not to compel him to survive such a day.<sup>3</sup> He succeeded in stopping the flight, but thereby gained nothing, except that the day was restored. He owed his final victory to his Mauretanian auxiliaries, who attacked the feebly defended camp of the enemy and plundered it. Labienus, with one legion, marched towards the camp to repel the Mauretanians; but his approach to the camp was believed by the men of his own party to be a retreat, and the troops yielded, but did not take to flight. The battle of Pharsalus had been decided in a similar manner. The dispersal of the enemy obliged Caesar to destroy the several detachments one by one. Cneius, who fled with the rest, was wounded and cut down; but Sextus escaped to the Celtiberians, where he remained concealed till after Caesar's death, when he again acted a conspicuous part. Several months passed away after this victory before the campaign in Spain was entirely finished. The men with whom Caesar had to deal there would not condescend to sue to him for pardon.

After his return from Africa, Caesar had celebrated a triumph which lasted

four days; it was a triumph over Gaul, Pharnaces, Egypt, and king Juba, no Roman general being mentioned as the subject of his triumph. After his return from Spain, he celebrated a triumph over Spain, and the conquered towns of Spain were specified. The first triumph had filled the Romans with delight, but the Spanish triumph hurt their feelings; for, notwithstanding his extraordinary presents to the people, they could not help looking upon it as a triumph over Roman citizens, though they were not mentioned. Velleius Paterculus<sup>4</sup> states that the sum of the treasures which Caesar brought to Rome in his triumph (probably the first) was *sexies millies HS.*, that is 600,000,000 sesterces. Caesar had obtained from several towns immense sums, under the name of loans and contributions, to defray the expenses of the war; and if we consider that he gave to each soldier 20,000 sesterces (more than £100), the sum will not appear by any means incredible. Appian,<sup>5</sup> however, mentions the enormous sum of six and a half myriads, that is, 65,000 talents, which here must be understood to mean not Attic, but Egyptian, that is, copper talents, according to the standard of Ptolemy Philadelphus. On this supposition the sum of Appian, though not agreeing with the other accounts, ceases to be a ridiculous exaggeration. Justus Lipsius could not see his way in these contradictory statements.

Caesar, who returned to Rome in October, 707, employed the last months of the year partly in making preparations for a Parthian war, and partly in introducing various regulations, as he had done after his return from Africa. During the latter period of the republic, it had been very common to insert an intercalary month, quite arbitrarily, for the purpose of gaining certain advantages. The refusal on the part of the Pontifex Maximus to make such an insertion had

<sup>3</sup> The Russian General Suwaroff acted in a similar manner in the battle of Kinburn, 1787, when his soldiers refused to obey an order which he had given, because they thought that they would be lost. When his soldiers fled, he called out to them: "Run on, run on, and leave your general to the Turks as a monument of your cowardice."—N.

<sup>4</sup> ii. 56.

<sup>5</sup> *De Bell. Civil.* ii. 102.



been the cause of Curio's hostility towards the senate. Caesar remedied the evil consequences and confusion

arising from such proceedings by his reform of the calendar, which he introduced after his return from Africa,

## LECTURE CXI.

It is one of the inestimable advantages of an hereditary government commonly called the legitimate, whatever its form may be, that it may be formally inactive in regard to the state and the population—that it may reserve its interference until it is absolutely necessary, and apparently leave things to take their own course. If we look around us and observe the various constitutions, we shall scarcely perceive the interference of the government; the greater part of the time passes away without those who have the reins in their hands being obliged to pay any particular attention to what they are doing, and a very large amount of individual liberty may be enjoyed. But if the government is what we call a usurpation, the ruler has not only to take care to maintain his power, but in all that he undertakes he has to consider by what means, and in what ways, he can establish his right to govern, and his own personal qualifications for it. Men who are in such a position are urged on to act by a very sad necessity, from which they cannot escape, and such was the position of Caesar at Rome. In our European states, men have wide and extensive spheres in which they can act and move. The much-decried system of centralisation has indeed many disadvantages; but it has this advantage for the ruler, that he can exert an activity which shews its influence far and wide. But what could Caesar do, in the centre of nearly the whole of the known world? He could not hope to effect any material improvements either in Italy or in the provinces. He had been accustomed from his youth, and more especially during the last fifteen years, to an enormous activity, and idleness was intolerable to

him. At the close of the civil war he would have had little or nothing to do, unless he had turned his attention to some foreign enterprise. He was obliged to venture upon something that would occupy his whole soul, for he could not rest. His thoughts were therefore again directed to war, and that in a quarter where the most brilliant triumphs awaited him, where the bones of the legions of Crassus lay unavenged—to a war against the Parthians. About this time the Getae also had spread in Thrace, and he intended to check their progress likewise. But his main problem was to destroy the Parthian empire, and to extend the Roman dominion as far as India, a plan in which he would certainly have been successful; and he himself felt so sure of this, that he was already thinking of what he should undertake afterwards. It is by no means incredible, that, as we are told, he intended, on his return, to march through the passes of the Caucasus, and through ancient Scythia into the country of the Getae, and thence through Germany and Gaul into Italy.<sup>1</sup> Besides this expedition, he entertained other plans of no less gigantic dimensions. The port of Ostia was bad, and in reality little better than a mere roadstead, so that great ships could not come up the river. Accordingly, it is said that Caesar intended to dig a canal for sea-ships, from the Tiber, above or below Rome, through the Pomptine marshes as far as Terracina. He further contemplated to cut through the isthmus of Corinth. It is not easy to see in what manner he would have accomplished this, considering the state of hydraulic architecture in those times.

<sup>1</sup> Plutarch, *Caes.* 58.

The Roman canals were mere *fossae*, and canals with sluices, though not unknown to the Romans, were not constructed by them.<sup>2</sup> The fact of Caesar forming such enormous plans is not very surprising; but we can scarcely comprehend how it was possible for him to accomplish so much of what he undertook in the short time of five months preceding his death. Following the unfortunate system of Sulla, Caesar founded throughout Italy a number of colonies of veterans. The old Sullanian colonists were treated with great severity, and many of them and their children were expelled from their lands, and were thus punished for the cruelty which they or their fathers had committed against the inhabitants of the municipia. In like manner, colonies were established in southern Gaul, Italy, Africa, and other parts; I may mention in particular the colonies founded at Carthage and Corinth. The latter, however, was a *colonia libertinorum*, and never rose to any importance. We do not know the details of its foundation, but one would imagine that Caesar would have preferred restoring the place as a purely Greek town. This, however, he did not do. Its population was and remained a mixed one, and Corinth never rose to a state of real prosperity.

Caesar made various new arrangements in the state, and, among others, he restored the full franchise, or the *jus honorum*, to the sons of those who had been proscribed in the time of Sulla. He had obtained for himself the title of imperator and the dictatorship for life, and the consulship for ten years. Half of the offices of the republic, to which persons had before been elected by the centuries, were in his gift; and for the other half he usually recommended candidates, so that the elections were merely nominal. The tribes seem to have retained their rights of election uncurtailed, and the last tribunes must have been elected by the people. But although Caesar did not himself confer the consulship,

yet the whole republic was reduced to a mere form and appearance. Caesar made various new laws and regulations; for example, to lighten the burdens of debtors and the like; but the changes he introduced in the form of the constitution were of little importance. He increased the number of praetors, which Sulla had raised to eight, successively to ten, twelve, fourteen, and sixteen, and the number of quaestors was increased to forty.<sup>3</sup> Hence the number of persons from whom the senate was to be filled up became greater than that of the vacancies, and Caesar accordingly increased the number of senators, though it is uncertain what number he fixed upon,<sup>4</sup> and raised a great many of his friends to the dignity of senators. In this, as in many other cases, he acted very arbitrarily; for he elected into the senate whomsoever he pleased, and conferred the franchise in a manner equally arbitrary. These things did not fail to create much discontent. It is a remarkable fact that, notwithstanding his mode of filling up the senate, not even the majority of senators were attached to his cause after his death.

If we consider the changes and regulations which Caesar introduced, it must strike us as a singular circumstance that, among all his measures, there is no trace of any indicating that he thought of modifying the constitution, for the purpose of putting an end to the anarchy, for all his changes are in reality not essential or of great importance. Sulla felt the necessity of remodelling the constitution, but he did not attain his end; and the manner, too, in which he set about it, was that of a short-sighted man; but he was, at least, intelligent enough to see that the constitution, as it then was, could not continue to exist. In the regulations of Caesar we see no trace of such a conviction; and I think that he de-

<sup>3</sup> Dion Cassius, xliii. 47, foll.

<sup>4</sup> When Dion Cassius, *l. c.*, says, ὥστε καὶ ἑξακκοσίους τὸ πλεονέκτων αὐτῶν γενέσθαι, he probably does not mean that this was a fixed number, but only indicates that it was the highest number to which the senate was then accidentally raised.—N.

<sup>2</sup> The first canals with sluices were executed by the Dutch in the fifteenth century.—N.

spaired of the possibility of effecting any real good by constitutional reforms. Hence, among all his laws, there is not one that had any relation to the constitution. The fact of his increasing the number of patrician families<sup>5</sup> had no reference to the constitution; so far, in fact, were the patricians from having any advantages over the plebeians, that the office of the two *aediles Cereales*, which Caesar instituted, was confined to the plebeians,<sup>6</sup>—a regulation which was opposed to the very nature of the patriciate. His raising persons to the rank of patricians was neither more nor less than the modern practice of raising a family to the rank of nobility; he picked out an individual, and gave him the rank of patrician for himself and his descendants, but did not elevate a whole gens. The distinction itself was merely a nominal one, and conferred no privilege upon a person except that of holding certain priestly offices, which could be filled by none but patricians, and for which their number was scarcely sufficient. If Caesar had died quietly, the republic would have been in the same, nay in a much worse, state of dissolution than if he had not existed at all. I consider it a proof of the wisdom and good sense of Caesar that he did not, like Sulla, think an improvement in the state of public affairs so near at hand or a matter of so little difficulty. The cure of the disease lay yet at a very great distance, and the first condition on which it could be undertaken was the sovereignty of Caesar, a condition which would have been quite unbearable even to many of his followers, who as rebels did not scruple to go along with him. But Rome could no longer exist as a republic.

It is curious to see in Cicero's work, *De re publica*, the consciousness running through it, that Rome, as it then stood, required the strong hand of a king. Cicero had surely often owned this to himself; but he saw no one who would have entered into such an

idea. The title of king had a great fascination for Caesar, as it had for Cromwell,—a surprising phenomenon in a practical mind like that of Caesar. Every one knows the fact that while Caesar was sitting on the *suggestum*, during the celebration of the Lupericalia, Antony presented to him the diadem, to try how the people would take it. Caesar saw the great alarm which the act created, and declined the diadem for the sake of appearance; but had the people been silent, Caesar would unquestionably have accepted it. His refusal was accompanied by loud shouts of acclamation, which, for the present, rendered all further attempts impossible. Antony then had a statue of Caesar adorned with the diadem; but two tribunes of the people, L. Caesetius Flavus, and Epidius Marullus, took it away: and here Caesar shewed the real state of his feelings, for he treated the conduct of the tribunes as a personal insult towards himself. He had lost his self-possession, and his fate carried him irresistibly onward. He wished to have the tribunes imprisoned, but was prevailed upon to be satisfied with their being stripped of their office and sent into exile. This created a great sensation at Rome. Caesar had also been guilty of an act of thoughtlessness, or perhaps merely of distraction, as might happen very easily to a man in his circumstances. When the senate had made its last decrees, conferring upon Caesar unlimited powers, the senators, consuls, and praetors, or the whole senate, in festal attire, presented the decrees to him, and Caesar at the moment forgot to shew his respect for the senators; he did not rise from his *sella curulis*, but received the decrees in an unceremonious manner. This want of politeness was never forgiven by the persons who had not scrupled to make him their master; for it had been expected that he would, at least, behave politely, and be grateful for such decrees.<sup>7</sup> Caesar himself had no

<sup>5</sup> Tacitus, *Annal.* xi. 25; Sueton. *Caes.* 41; Dion. Cassius, xliii. 47, xlv. 2.

<sup>6</sup> Dion Cassius, xliii. 51.

<sup>7</sup> I have known an instance of a man of rank and influence, who could never forgive another man, who was by far his superior in

design in the act, which was merely the consequence of distraction or thoughtlessness; but it made the senate his irreconcilable enemies. The affair with the tribunes, moreover, had made a deep impression upon the people. Cicero, who was surely not a democrat, wrote at the time, *turpissimâ consulares, turpis senatus, populus fortis, infimus quisque honore fortissimus*, etc. The praise here bestowed upon the people may be somewhat exaggerated, but the rest is true. We must, however, remember that the people, under such circumstances, are most sensible to anything affecting their honour, as we have seen at the beginning of the French revolution.

In the year of Caesar's death, Brutus and Cassius were praetors. Both had been generals under Pompey. Brutus' mother, Servilia, was a half-sister of Cato, for after the death of her first husband, Cato's mother had married Servilius Caepio. She was a remarkable woman, but very immoral, and unworthy of her son; not even the honour of her own daughter was sacred to her. The family of Brutus derived its origin from L. Junius Brutus; and from the time of its first appearance among the plebeians, it had had few men of importance to boast of. During the period subsequent to the passing of the Licinian laws, we meet with some Junii in the Fasti, but not one of them acquired any great reputation. The family had become reduced and almost contemptible. One M. Brutus in particular, disgraced his family by sycophancy (*accusationes facitabat*<sup>8</sup>) in the time of Sulla, and was afterwards killed in Gaul by Pompey. Although no Roman family belonged to a more illustrious gens, yet Brutus was not by any means one of those men who are raised by fortunate circumstances. The education, however, which he received had a great influence upon him. His uncle Cato,

whose daughter Porcia he married—whether in Cato's lifetime, or afterwards, is doubtful—had initiated him from his early youth in the Stoic philosophy, and had instilled into his mind a veneration for it, as though it had been a religion. Brutus had qualities which Cato did not possess. The latter had something of an ascetic nature, and was, if I may say so, a scrupulously pious character; but Brutus had no such scrupulous timidity; his mind was more flexible and lovable. Cato spoke well, but could not be reckoned among the eloquent men of his time. Brutus' great talents had been developed with the utmost care, and if he had lived longer, and in peace, he would have become a classical writer of the highest order. He had been known to Cicero from his early age, and Cicero felt a fatherly attachment to him; he saw in him a young man who, he hoped, would exert a beneficial influence upon the next generation. I have already had occasion to mention this amiable feature in the character of Cicero, of which Virgil also furnishes an example; for after reading some of Virgil's youthful productions, Cicero called him "*magnae spes altera Romae*."<sup>9</sup> It was with a similar feeling that he looked upon Brutus. Caesar too had known and loved him from his childhood; but the stories which are related to account for this attachment, must be rejected as foolish inventions of idle persons; for nothing is more natural than that Caesar should look with great fondness upon a young man of such extraordinary and amiable qualities. The absence of envy was one of the distinguishing features in the character of Caesar, as it was in that of Cicero. In the battle of Pharsalus, Brutus served in the army of Pompey, and after the battle he wrote a letter to Caesar, who had inquired after him; and when Caesar heard of his safety he was delighted, and invited him to his camp.<sup>10</sup> Caesar afterwards

every respect, for having forgotten to take off his hat during a visit.—N.

<sup>8</sup> Cicero, *De Offic.* ii. 14. Compare Brutus, 74, and Plutarch, *Brut.* 4, where, however, he is erroneously described as the father of Brutus the tyrannicide.

<sup>9</sup> Donatus, *Vita Virgilii*, p. v. ed. Burmann.

<sup>10</sup> Plutarch, *Brut.* 6.



gave him the administration of Cisalpine Gaul, where Brutus distinguished himself in a very extraordinary manner, by his love of justice.

Cassius was related to Brutus, and had likewise belonged to the Pompeian party; but he was very unlike Brutus: he was much older, and a distinguished military officer. After the death of Crassus he had maintained himself as quaestor in Syria against the Parthians, and he enjoyed a very great reputation in the army, but he was after all no better than an ordinary officer of Caesar. After the battle of Pharsalus, Caesar did not at first know whither Pompey was gone. Cassius was at the time stationed with some galleys in the Hellespont, notwithstanding which, Caesar with his usual boldness took a boat to sail across that strait, and on meeting Cassius called upon him to embrace his party. Cassius readily complied, and Caesar forgave him,<sup>11</sup> as he forgave all his adversaries: even Marcellus, who had mortally offended him, was pardoned at the request of Cicero. Caesar thus endeavoured to efface all recollections of the Civil War.

Caesar had appointed both Brutus and Cassius praetors for that year. With the exception of the office of praetor urbanus, which was honourable and lucrative, the praetorship was a burdensome office, and conferred little distinction, since the other praetors were only the presidents of the courts. Formerly they had been elected by lot; but the office was now altogether in the gift of Caesar. Both Brutus and Cassius had wished for the praetura urbana, and when Caesar gave that office to Brutus, Cassius was not only indignant at Caesar, but began quarrelling with Brutus also. While Cassius was in this state of exasperation, a meeting of the senate was announced for the 15th of March, on which day, as the report went, a proposal was to be made to offer Caesar the crown. This was a welcome opportunity for Cassius, who resolved to take ven-

geance, for he had even before entertained a personal hatred of Caesar, and was now disappointed at not having obtained the city praetorship. He first sounded Brutus, and finding that he was safe, made direct overtures to him. During the night some one wrote on the tribunal and the house of Brutus the words, "Remember that thou art Brutus." Brutus became reconciled to Cassius, offered his assistance, and gained over several other persons to join the conspiracy. All party differences seemed to have vanished all at once: two of the conspirators were old generals of Caesar, C. Trebonius and Decimus Brutus, both of whom had fought with him in Gaul, and against Massilia, and had been raised to high honours by their chief. There were among the conspirators persons of all parties. Men who had fought against one another at Pharsalus now went hand in hand, and entrusted their lives to one another.<sup>12</sup> No proposals were made to Cicero, the reasons usually assigned for which are of the most calumnious kind. It is generally said that the conspirators had no confidence in Cicero,<sup>13</sup> an opinion which is perfectly contemptible. Cicero would not have betrayed them for any consideration, but what they feared were his objections. Brutus had as noble a soul as any one, but he was passionate; Cicero, on the other hand, who was at an advanced age, had made sad experiences, and his feelings were so exceedingly delicate, that he could not have consented to take away the life of him to whom he himself owed his own, who had always behaved most nobly towards him, and had intentionally drawn him before the world as his

<sup>12</sup> The real number of conspirators is not known; and our accounts are not quite trustworthy.—N.

<sup>13</sup> Demosthenes has been calumniated in a similar manner. The verses in Plutarch (*Demosth. c. 30*) Εἴπερ ἴσθιν ῥώμην γνώμην, Δημοσθένες, εἰς οὗτος ἂν Ἑλλήνων ἦρξεν Ἀρης *Maxidwv*, have often been misunderstood. I do not mean to say that his courage was equal to his talents; but the meaning of the passage is, "If thou hadst had as much power as thou hadst intelligence, the Macedonians would never have ruled over the Greeks."—N.

<sup>11</sup> Appian, *De Bell. Civil.* ii, 88; Sueton. *Caes.* 63; Dion Cassius, xlii, 6.

friend. Caesar's conduct towards those who had fought in the ranks of Pompey and afterwards returned to him was extremely noble, and he regarded the reconciliation of those men as a personal favour conferred upon himself. All who knew Cicero must have been convinced that he would not have given his consent to the plan of the conspirators; and if they ever did give the matter a serious thought, they must have owned to themselves that every wise man would have dissuaded them from it; for it was in fact the most complete absurdity to fancy that the republic could be restored by Caesar's death. Goethe says somewhere that the murder of Caesar was the most senseless act that the Romans ever committed; and a truer word was never spoken.<sup>14</sup> The result of it could not possibly be any other than that which did follow the deed.

Caesar was cautioned by Hirtius and Pansa, both wise men of noble characters, especially the former, who saw that the republic must become consolidated, and not thrown into fresh convulsions. They advised Caesar to be careful, and to take a body guard; but he replied that he would rather not live at all, than be in constant fear of losing his life. Caesar once expressed to some of his friends his conviction that Brutus was capable of harbouring a murderous design, but he added, that as he (Caesar) could not live much longer, Brutus would wait, and not be guilty of such a crime. Caesar's health was at that time weak, and the general opinion was that he intended to surrender his power to Brutus as the most worthy. Whilst the conspirators were making their preparations, Porcia, the wife of Brutus, inferred from the ex-

citement and restlessness of her husband that some fearful secret was pressing on his mind; but as he did not show her any confidence, she seriously wounded herself with a knife, and was seized with a violent wound-fever. No one knew the cause of her illness; and it was not till after many entreaties of her husband that at length she revealed it to him, saying that as she had been able to conceal the cause of her illness, so she could also keep any secret that might be entrusted to her. Her entreaties induced Brutus to communicate to her the plan of the conspirators. Caesar was also cautioned by the haruspices, by a dream of his wife, and by his own forebodings, which we have no reason for doubting. But on the morning of the 15th of March, the day fixed upon for assassinating Caesar, Decimus Brutus treacherously enticed him to go with him to the curia, as it was impossible to delay the deed any longer. The detail of what happened on that day may be read in Plutarch. The conspirators were at first seized with fear, lest their plan should be betrayed; but on Caesar's entrance into the senate-house, C. Tillius (not Tullius) Cimber made his way up to him, and insulted him with his importunities, and Casca gave the first stroke. Caesar fell covered with twenty-three wounds. He was either in his fifty-sixth year, or had completed it; I am not quite certain on this point, though, if we judge by the time of his first consulship, he must have been fifty-six years old. His birthday, which is not generally known, was the 11th of Quinctilis, which month was afterwards called Julius,<sup>15</sup> and his death took place on the 15th of March, between eleven and twelve o'clock.

<sup>14</sup> *Nachgelass. Werke*, vol. xiii. p. 68. Goethe says: "How little even the better sort (among the Romans) knew what government is, is clear from the most absurd act that ever was committed, the murder of Caesar."

<sup>15</sup> Macrobius, *Saturn.* i. 12; Lydus, *de Mensibus*, p. 110, according to which authorities, however, it was the 12th of Quinctilis.

## LECTURE CXII.

No provision at all had been made as to what was to be done after Caesar's death, especially with regard to Antony. In the heat of the moment, when everything was possible, Cassius had demanded that Antony too should be killed; but Brutus declared that the sacrifice of one life was enough, an opinion which was decidedly wrong. Many ought to have been sacrificed, to make all things straight; but Antony ought to have been killed at any risk, if a simulacrum of the republic was to continue; for it was in reality he, and men like him, who had rendered Caesar's government odious. Antony especially had induced him to take the diadem; and it is acknowledged on all hands that Caesar alone would have governed in a beneficial manner. But as it was, the tumult and commotion were great, and in their alarm most of the senators took to flight, and a few only remained at Rome. It was a courageous act on the part of Cicero that he, with a few senators, immediately and publicly declared himself in favour of the conspirators as tyrannicides. Both parties were blind at the moment, and knew not what was to come next. One might have expected that the people would rejoice at the death of Caesar, as public opinion had expressed itself so loudly against him, ever since the affair with the tribunes Caesetius and Marullus; but the people is a hundred-headed monster, and there is nothing more fickle and inconstant than man. The same persons who had cursed Caesar only a few days before, had now quite changed their minds: they cursed the murderers and lamented Caesar. It is a common thing with men who have no character, to wish for extraordinary events; but as soon as the danger which is inseparable from them appears, they denounce those whom they urged on before.

The tumult at Rome lasted for

several days. Caesar had fallen on the 15th of March, and on the 17th there was a meeting of the senate, to deliberate what was to be done during the state of excitement. At this meeting Antony shewed a conduct very different from what had been anticipated: he offered his hand in token of reconciliation, and expressed himself in a manner which scarcely any one could take to be sincere; but the senate, nevertheless, became pacified, as it was thought that Antony was obliged by circumstances to act in the way he did. Cicero also came forward and spoke, and a general amnesty was decreed concerning all that had taken place; just as had been the case at Athens after the expulsion of the Thirty Tyrants. But the great question was, what to do? Brutus and Cassius had fled to the Capitol to escape from the storm, for public opinion in the city was decidedly against them. A great number of Caesar's soldiers were in the city, and many more flocked thither from other parts. The excitement was so great, that there was ground for apprehending acts of extreme violence. Brutus and Cassius began negotiating from the Capitol. The decrees of the senate, intended to bring about a reconciliation, were full of contradictions. While one party was inclined to honour the murderers of Caesar, the decrees of the senate were framed in the very opposite spirit. The proposal which was made to declare Caesar a tyrant, and his acts to be invalid, was not only rejected, but the senate went so far, in its fear of Caesar's veterans, as to decree divine honours to him, and the express validity of all his regulations. It had further been proposed that his will should be declared void; but L. Piso, his father-in-law, opposed the measure with obstinate impudence, and induced the senate to recognise the will as valid, to have it read in public, and

carried into execution. Piso's intention was to inspire the soldiers and the populace with enthusiasm for the deceased, who had possessed enormous riches, which had been amassed partly in war, and partly in the administration of the republic. He had left munificent legacies to the soldiers and every Roman citizen, and these bequests were sure to produce the effect which the friends of Caesar desired.

Some few persons wisely proposed that his burial should take place quite quietly and in private; but this plan too was frustrated by the impetuosity of the faction and the cowardice of the senate; and it was resolved that the body should be buried with the greatest solemnity in the Campus Martius. It was a general custom for the bodies of distinguished persons to be carried on a bier uncovered, as is still the fashion in Italy. The bier was put down in the Forum before the rostra, and one of the relatives of the deceased delivered a funeral oration. The nearest relative of Caesar was Antony, whose mother, Julia, was Caesar's sister, and he accordingly delivered the funeral oration. He produced a fearful effect upon the minds of the people; for he not only dwelt upon the great exploits of Caesar amid roars of applause, but after he had excited their minds in the highest degree by his recital, he lifted up the bloody toga, and shewed the people the wounds of the great deceased. The multitude were seized with such indignation and rage, that instead of allowing the body to be carried to the Campus Martius, they immediately raised in the Forum a pile of benches, and any wood that could be got, and burnt the corpse there. One person, whom they thought to be one of the murderers, though he was quite innocent, was literally torn to pieces. The people then dispersed in troops; they broke into the houses of the conspirators, and destroyed them. It was not till after receiving a formal promise upon oath from Antony and Lepidus, that Brutus and Cassius ventured to come down from the Capitol; but as, after the events of that day, they saw no

safety at Rome, they went to Antium. The other conspirators dispersed themselves over the provinces. Decimus Brutus went to Cisalpine Gaul, which had been promised him as his province by Caesar, and administered to the legions the oath of allegiance to himself. Brutus had been promised the province of Macedonia, and Cassius that of Syria.

The events of the year of Caesar's death are so manifold and complicated, that it is impossible for me to mention them all in their succession. If you will read Fabricius' Life of Cicero, you will find a detailed account of the history of the last two years of his life. I cannot give you a strictly chronological account, but am obliged to place the events before you in a somewhat different order. An accurate knowledge of the chronological succession of the occurrences during those two years, is necessary, however, to enable one to understand Cicero's Philippics.

Caesar in his will had appointed C. Octavius, the grandson of his sister Julia, heir *ex dodrante*, that is, of three-fourths of his property, after the deduction of all legacies, and his other relatives were to have the remaining fourth. Antony, however, and L. Piso were not among his heirs. Caesar's aunt Julia, the sister of his father, had been married to Marius and his sister Julia to M. Atius Balbus. Atia, the daughter of this latter Julia, was married to C. Octavius, a worthy man, whose father, C. Octavius, a person of distinction, had died too early to obtain the consulship. Whether this family of the Octavii was connected with those Octavii who had acted a prominent part in the earlier periods of Roman history, and especially with the colleague of Tib. Gracchus, is not clear, though I am inclined to deny it, since the family is spoken of as only of equestrian rank.<sup>1</sup> Young C. Octavius was in his nineteenth year when Caesar was murdered, having been born on the 23rd of September, 689. Caesar had taken an interest in him ever since his return

<sup>1</sup> Vell. Paterc. ii. 59; Sueton. Aug. 2,



from Spain; whereas, before that time, he does not appear to have taken any particular notice of him. Caesar had intended to take him with him in his expedition against the Parthians, to complete his military education; but, some time previously to his death, he had sent him to Apollonia in Illyricum to acquire a Greek culture, which was then so prevalent among the Romans, that Cicero and his friends wrote Greek letters to one another, and often spoke Greek, as we see from the history of Brutus, Cassius, and Messala,<sup>2</sup> who conversed in Greek with one another.<sup>3</sup> C. Octavius was to stay at Apollonia, until his uncle should set out for Asia. When he received the sad intelligence of Caesar's death, he went to Rome, and claimed from Antony the inheritance of his uncle. This was a highly disagreeable thing for Antony, who had the most urgent reasons for not letting the property go out of his hands, as he was responsible for it, and had to take care that no mistake should be made, and that it should be most faithfully administered. But in reality he looked upon that property as the French looked upon the five millions which Napoleon had deposited at Paris, and was unwilling to give it up. C. Octavius had been adopted by Caesar, which is the first instance of an adoption by will that I know in Roman history; afterwards, such adoptions are very frequent. Antony seriously endeavoured to deter the young man from accepting the inheritance, on the ground that he was yet too young; and Atia, his mother, and L. Marcus Philippus, his step-father,

intimidated as they were, advised him to withdraw his claims.<sup>4</sup> But Agrippa, whose subsequent conduct is very praiseworthy, had already become the adviser of C. Octavius, or, as he was called henceforth, C. Julius Caesar Octavianus. His connexion with Octavian, however, was at this time a misfortune for the republic; for, had it not been for Agrippa, Octavian would have acted quite a different part; he would have allowed himself to be intimidated, affairs would have taken a different turn, and Brutus would perhaps have been obliged in the end to undertake the dictatorship, but probably under some other name, and then have placed himself at the head of the republic; for soon after Caesar's death the dictatorship was abolished for ever.<sup>5</sup>

As Octavian discovered in Antony his principal enemy, he attached himself to the party of his opponents, especially to Cicero, who was perfectly pure. He could not, of course, form any connexions with Brutus and the other murderers of his uncle. Cicero had confidence in him, which the murderers could not have had; and he, in fact, allowed himself to be imposed upon by the deep cunning of the youth, as he was always longing to see what he wished, and what he thought should be. He was thus willing to see in Octavian such sentiments as he thought salutary to the republic, and formed a friendship with him. Octavian compelled Antony to surrender Caesar's will, and put himself in possession of his inheritance so far as it had not been already disposed of by Antony, who had secreted the greater part of the money which Caesar had collected. The exasperation between Octavian and Antony rose very high about this time, and each suspected the other, perhaps not unjustly, of attempts at assassination.

The ferment at Rome had, in the meantime, increased to such a point,

<sup>2</sup> It was then at Rome with Greek as it was with French in Germany at the time when I was a young man. I used then to speak with elder friends more French than German, and it was not looked upon as affectation when French words or phrases were occasionally introduced into German conversation. So, at Rome, every man of education was obliged to speak and write Greek; though their Greek, as, for example, the specimens in Cicero's letters, often had something peculiar; as was the case with the French spoken in Germany during the last century. It would be interesting to examine this point minutely.—N.

<sup>3</sup> Plutarch, *Brut.* 40.

<sup>4</sup> Vell. Pat. ii. 60; Sueton. *Aug.* 8, foll.

<sup>5</sup> Cicero, *Philipp.* i. 1, 13, ii. 36; Livy, *Epit.* 116; Appian, *De Bell. Civil.* iii. 25; Dion Cassius, xlv. 51.

that Cicero resolved to go to Greece, and spend his time at Athens till the beginning of the following year, when Hirtius and Pansa were to enter on their consulship, for Hirtius was a worthy, able, and well-meaning man and a friend to Cicero; Pansa was of much less consequence, and not better than an ordinary soldier. There is no other period in Cicero's life in which he shewed such intellectual activity as during that summer. He began his work *De Officiis* during the greatest convulsions of the republic, which is a proof of prodigious strength and self-possession: he wrote his works *De Divinatione*, *De Fato*, the *Topica*, and the lost work, *De Gloria*, all of which, and an enormous number of letters, many of which are lost, were produced in that summer. I know no other man who, at any time of his life, was so intensely active as Cicero then was. His activity was a consolation to him in his grief; and the fact of his being able to throw himself so completely into intellectual pursuits, is a convincing proof of the extraordinary power of his mind: any other man would have been crushed under the weight of his sorrows, and the terrors of the time. Cicero, on the other hand, although he knew all that was going on, did not allow himself to be overpowered by it. His intention to go to Greece had not been carried into effect, for contrary winds kept him at Rhegium.

Antony, by forced decrees of the senate, had caused the province of Macedonia to be given to his brother, Caius Antonius, and that of Syria to Dolabella, who had been appointed with him to the consulship after Caesar's death. For himself, Antony had reserved Cisalpine Gaul; but he, nevertheless, now turned round, and declared himself in favour of the optimates. He seemed all at once to have become a different man: he was quite willing to bring about a reconciliation, and carried several laws which breathed that spirit. Every one who knew him was struck with amazement. Cicero, who was informed of the change, was urgently requested by his

friends to return, and become reconciled with Antony. But here he was influenced by an unfortunate timidity. Had he appeared in the senate at the risk of being murdered there, and had he ventured to address Antony as if he had confidence in him, he might have prevented great misfortunes. Antony felt a bitter enmity towards him, and hated him; but I believe that he would, notwithstanding, have consented to a reconciliation. Cicero here erred in allowing himself to be overcome by the just horror and disgust he felt for Antony, by whose really detestable and profligate character he is sufficiently excused; although Antony was not altogether without any good quality, as Cicero imagined. If we compare Antony with Octavian, we must admit that Antony was open-hearted; whereas Octavian was made up of hypocrisy: his whole life was a farce. It is well known that on his death-bed at Nola he asked his friends whether he had not played the comedy of his life well? He was an actor throughout; everything he did was a farce, well devised and skilfully executed. The most profound hypocrisy was his greatest talent. In the vicious and profligate life of Antony, on the other hand, there occur some actions which show good nature, generosity, and even greatness; and if Cicero had appeared in the senate, a reconciliation would certainly have been possible. This, however, Cicero did not do; and he may even have offended Antony by his wit and satire, for it was his wit that in most cases gave rise to the enmity of others against him. As Cicero did not go to the senate, Antony attacked him in the most improper and outrageous manner. This gave rise to Cicero's second Philippic, which was not spoken, but only written. It was, however, published, and immediately produced the greatest effect; it was devoured by the friends of Cicero, who was himself staying in the country for the sake of safety.

Towards the end of the year, Antony went to Lombardy, or Cisalpine Gaul, the inhabitants of which

were indebted to Caesar for the franchise. As the senate had recognised the validity of the acts of Caesar, Antony had acted during the summer after the dictator's death in the most outrageous manner; for under the pretence of proceeding according to the regulations laid down in Caesar's papers, he did anything he pleased: he sold to some the *jus Latii*, and to others the franchise; he conferred immunities upon colonies, and called a number of his creatures into the senate. After such proceedings, it was difficult, indeed, for a man like Cicero to become reconciled to him. The administration of Spain was at the time in the hands of Asinius Pollio, and M. Lepidus and L. Munatius Plancus had that of Gaul. On arriving in his province, Antony endeavoured to induce the legions to revolt against Decimus Brutus, but with little success. The towns north of the Alps and in Illyricum seemed at first inclined to embrace his cause; but his mad conduct and his extortions soon deterred them from doing so.

On the first of January, 709, Hirtius

and Pansa, who had been appointed consuls by Caesar, entered upon their office: so great was his power even after his death! Antony was declared a public enemy, and the senate gave the provinces of Gaul and Italy to the consuls, to carry on the war, in common with Decimus Brutus, against Antony. Octavian had prevailed upon Cicero to induce the senate to grant him the power and ensigns of a praetor. Antony recalled the legions which Caesar had sent to Macedonia, with the view of employing them on his expedition against the Parthians and Getae; but on their arrival in Italy, two of them deserted to Octavian, and formed the nucleus of an army with which he was enabled to oppose Antony. So long as the hostility between Octavian and Antony lasted, these legions were really prepared to protect Cicero and other patriots, although the soldiers hated no one more than him, and whatever there remained of the Pompeian party. Brutus and Cassius had in the meantime gone to Greece.

## LECTURE CXIII.

THE last Philippics, which extend to the month of April, as well as several of the letters *Ad Diversos*, which are extremely important for contemporary history, belong to the year 709, the last of Cicero's life. The letters to Brutus refer to the same period. They consist of two parts: an earlier one, which is found in the same manuscripts as the letters of Cicero to his brother Quintus; and a later one, which was first published in the *editio Cratandrina*, and was, I believe, discovered in Germany. Whether the letters contained in the second part were forged in the sixteenth century, or are ancient and genuine, is a question which I cannot answer. If they are a forgery, it is a masterly one. The

genuineness even of the first part, which has come down to us in very ancient manuscripts, is likewise very doubtful. They are of great interest to those who have Cicero's history at heart. They were unquestionably written at a very early period, and belong probably to the first century of our era. I am almost inclined to consider them as a production of the first century, perhaps of the time of Augustus or Tiberius. Their author was evidently a man of talent, and perfectly familiar with the circumstances of the period to which they relate. The question respecting their genuineness was raised about a hundred years ago by English critics, and I know that F. A. Wolf was decidedly of opinion that they are

a fabrication, but I cannot express myself with the same certainty. I should like to see them proved to be spurious, as I am morally convinced that they are,<sup>1</sup> but there are some serious considerations opposed to this view. These letters to Brutus show a certain difference of feeling between Cicero and Brutus; and if a person of talent contrasts the psychological natures of the two men, that want of harmony would naturally present itself to him as the result of his comparison. But in whatever manner the letters may have been composed, their author lived so near the time to which they refer, and their substance is based upon such authentic documents, that we may take them as trustworthy sources of history.

The first months of the year of Hirtius and Pansa's consulship were spent by Antony in besieging Decimus Brutus at Modena. All the towns in Cisalpine Gaul had by this time declared against Antony. Modena must then have been a town of very great extent, since Decimus Brutus was in it with his whole army. Antony had eight or nine legions, and was far superior in numbers to the besieged, so that there was no prospect for the latter except ultimate surrender. But Hirtius, Pansa, and Octavian as praetor, came with three armies to relieve the place. Hirtius and Octavian appeared first, and pitched their camp in the neighbourhood of Bologna, and Pansa followed with reinforcements. The army of Octavian alone consisted of veterans; those of Hirtius and Pansa, for the most part, of newly-formed legions, so that the two latter were labouring under disadvantages. Antony broke up, and advanced against the enemy, for his plan was to prevent the hostile armies uniting. This occasioned an engagement, into which the troops of Pansa, especially the *legio Martia*, which had been sent to his succour, inconsiderately allowed themselves to be drawn. The fight was quite an irregular one. Antony was at first

nearly defeated, but he afterwards gained the upper hand, and he was on the point of winning the battle, when Hirtius arrived from his camp with reinforcements, and Antony was beaten.<sup>2</sup> Pansa, however, had been severely wounded, and died soon afterwards.

Some ten days or a fortnight later, during which Antony kept within his fortifications, so that the situation of Decimus Brutus was in no way improved, the troops of Pansa joined the other armies, and Hirtius now attacked Antony, through the upper lines of whose position he broke, and took his camp; but he himself fell in the battle. During the engagement, Decimus Brutus made a sally, and succeeded in joining the armies of his defenders. Antony might still have maintained himself in the country, but he was bewildered, and resolved to quit Italy. He cannot have thought at that time of the possibility of becoming reconciled with Octavian.

About the end of April, the prospects of Rome were favourable, except that both consuls were dead. Octavian's reputation was, even as early as that time, such as to occasion a report, which was surely not quite without foundation, that he had caused the surgeon to poison the wound of Pansa, and had hired an assassin to murder Hirtius. If we apply the *cui bono* of L. Cassius,<sup>3</sup> a strong suspicion indeed hangs upon Octavian; and if, in addition to this, we consider that he was not a man whose moral character was too good to allow him to commit such acts, we cannot help thinking that the suspicion was not altogether unfounded. The republic was thus in the condition of an orphan, and those who might have become the successors of the consuls were in circumstances which did not permit it to entrust itself to them. In this state of affairs, Octavian placed himself at the head of the armies of the

<sup>1</sup> I am convinced with Wolf that the oration for Marcellus is a forgery,—N.

<sup>2</sup> We have in Appian a sort of official bulletin of this battle, which was sent to Rome, and from which probably some deductions must be made.—N.

<sup>3</sup> See Cicero, *pro Sext. Roscio*, c. 30.



two consuls; that of Antony was dispersed, and he himself fled with a small band across the Alps. Lepidus, who was then in Gaul, had it in his power to put an end to Antony's career. He was one of those who had, unfortunately, been among the friends of Caesar; he was a contemptible person, and after the death of Caesar he had been raised to the office of pontifex maximus, without having any claims to it. Lepidus and Munatius Plancus, who had strong armies in Gaul, might, as I said before, have put an end to the war by cutting off Antony; but Lepidus had no resolution, and would not lift up his hand against him. He had previously endeavoured to bring about a peace between the senate and Antony, whom he now received into his camp, and who was proclaimed, perhaps only in mockery, emperor by the armies of both Lepidus and Plancus. This happened in the course of the summer, which begins in Italy on the 7th or 8th of May.

During the perplexities into which the republic was thrown by the death of the two consuls, Octavian began to disclose his real sentiments, by causing his veterans to demand the consulship for him. In his first attempt he proposed Cicero for his colleague, and declared that he would follow his advice in all things; but this was a mere farce, devised to deceive the people. Cicero, however, did not fall into the trap, for he now saw that everything was hopeless. These last months of his life, from the beginning of June, formed the most unhappy period of his existence, of which he now felt completely tired, so that we need not wonder at his refusing to escape from death. The veterans demanded the consulship for Octavian with threats, and Cicero, as resolutely as any other senator, at first resisted them—certainly not a sign of cowardice, for which his great sensibility is too often mistaken; but in the end Octavian's opponents were obliged to yield. He and his nephew, Q. Pedius, were accordingly proclaimed consuls on the 19th of August. All

hopes of the patriots had now disappeared: the senate was reduced to complete servility, and Cicero withdrew from its meetings altogether. One of the first measures of the new consuls was the frightful *lex Pedia*.<sup>4</sup> Its being passed by the people was a mere form. It ordained criminal proceedings against all who had been accomplices in the murder of Caesar. The partisans of Octavian also accused the senate of having treated him with neglect after the war of Modena, although the senate could not have done more than it did, as Octavian was only praetor. In accordance with the *lex Pedia*, a commission was now appointed, before whom Brutus, Cassius, and other conspirators were summoned to appear *pro forma*. All of them, however, seem to have taken to flight, and the accused were condemned *in contumaciam*, and, contrary to the Roman law, proscribed. According to the ancient privileges, persons who were condemned might withdraw; but in this case they were hunted up wherever they were, and prizes were offered for their heads. Decimus Brutus fled from his own troops, whom Octavian had already induced to revolt, and he was murdered on the frontier of Gaul by a former friend.

While these things were going on, the month of November was approaching. Antony, accompanied by Lepidus and Plancus, had come from Gaul, and Octavian was stationed near Bologna to meet them. Through the mediation of Lepidus negotiations were commenced, and a meeting took place on a small island in the river Reno near Bologna. Octavian, Antony, and Lepidus agreed to undertake the government of the republic for five years, under the title "*Triumviri rei publicae constituendae*." This was, according to the old Licinian law, an extraordinary magistracy, which may however have existed at other times also, and the idea itself was not new.<sup>5</sup>

<sup>4</sup> Vell. Paterc. ii. 69; Appian, *De Bell. Civil.* iii. 95; Livy, *Epit.* 120.

<sup>5</sup> See p. 237 of these Lectures.

Italy was to belong to the two consuls in common; but the provinces were distributed in such a manner that Lepidus obtained Spain and the part of Gaul near the Pyrenees; Antony Cisalpine Gaul, Lugdunensis, and Belgica; and Octavian Africa, Sicily, and Sardinia. The eastern provinces were not disposed of. The first thing that was now done was to proclaim a proscription of seventeen persons.<sup>6</sup> Antony sacrificed his own uncle, and Lepidus his own brother, whose proscription he is even said to have demanded. Velleius<sup>7</sup> and others who follow the writers of the Augustan age, state that Octavian was induced with great difficulty to consent to the sacrifice of Cicero: but I do not believe that he had any scruples about it. To a man of his nature, it was a relief to get rid of a benefactor before whom he had so often played the hypocrite, and to whom he had so often promised to remain faithful to the republic.<sup>8</sup> After this proscription there followed another of 130 senators, but the triumvirs did not stop short here. It is on the whole very surprising to see how frankly the historians of the age of Augustus, such as Asinius Pollio, express themselves upon the events of the time. The reason probably was that the occurrences were looked upon as the acts of private persons, or that the works were not immediately published. Many of our historians justly remark that these proscriptions were much worse than those instituted by Sulla; for the latter had been dictated by a furious party spirit. Sulla hated the men whom he sacrificed because they were his antagonists, and he had no scruples about killing them; but plunder was a secondary matter, and only an unavoidable consequence, which Sulla himself would willingly have

dispensed with. The proscription of the triumvirs, on the other hand, was not so much the consequence of their desire to take vengeance as of their rapacity: wealthy persons who had not done anything to provoke their anger, were put on the lists for no other reason than because they were rich, for the property of all the proscribed was confiscated. We know the history of a great many who fell victims during that frightful period, but I will here confine myself to the fate of Cicero.

He was in his Tusculanum at the time when the lists of the proscribed were published. He was undecided whether to await death in his villa or not, but he was prevailed upon by his brother to take to flight. They went along the sea coast to Astura, where he took a boat. His brother, who returned, was murdered soon afterwards. Having gone on board the boat, Cicero could not make up his mind as to whether he should sail: he was in fact tired of life, and unwilling to flee, so that a murderer was not unwelcome to him. He might himself have put an end to his existence; but, however much he respected Cato, such an act was, in his opinion, wrong and repugnant to all his feelings. He gave himself up to Providence. Had the winds been favourable he would, perhaps, have gone to Sex. Pompeius, who was already master of Sicily. If he had done so, he would probably have died a natural death, and lived to see the time when Sex. Pompeius made peace, and when the distinguished proscribed who lived in exile obtained permission to return to Rome. But he was very sick, and as the rowers wanted to return, he allowed them to land at Mola di Gaëta, in the neighbourhood of which he had a villa, intending to wait till the storm was over. He was betrayed by one of his own domestics, a freedman of his brother. A centurion, Popillius Laenas, a person belonging to one of the most distinguished plebeian families, and who is said to have once been defended by Cicero—which is, however, probably a rhetorical invention

<sup>6</sup> Appian, *De Bell. Civil.* iv. 6, foll.

<sup>7</sup> ii. 66.

<sup>8</sup> It is on the whole astonishing how little we learn from the Epitome of Livy concerning this period, although it is probable that he was more honest than others; for it is known that Octavian called him a Pompeian. His fragment on Cicero also shews that he was honest and unprejudiced.—N.

to aggravate his crime — overtook Cicero, who had been persuaded by his friends to allow himself to be carried out in a lectica to a plantation near the coast. His slaves were ready to fight for him, but he forbade it. He put his head forward from the lectica, to receive the deadly blow, and died with the greatest courage. The day of his death was the 7th of December, 709. His son Marcus, who was at the time with Brutus in Macedonia, had until then behaved in a manner which justified the hope that he would one day distinguish himself, but he afterwards sank into the grossest sensuality and voluptuousness. He was, however, a man of talent and wit, which he had inherited from his father, of whom, in all other respects, he was unworthy. The opinions of Livy, Asinius Pollio, and Cassius Severus upon Cicero, which are preserved in Seneca's seventh *Suasoria*, differ very much in their spirit. Some of their sentiments are very beautiful, but some are only remarkable as characteristic of the authors themselves.

I have thought it my duty, in my account of Cicero, to direct your attention to the manner in which he has been judged of by vulgar men, who had scarcely received such an education as to entitle them to express an opinion on Cicero. I will mention, as an instance, Hook, whose voluminous history is in reality only patchwork; he is nowhere master of his subject. I have never been able to read through his book, for he is unjust towards Cicero in a manner which is quite revolting. Middleton's life of Cicero, on the other hand, is written very beautifully, and in a noble spirit. The period in which Cicero began to be treated with contempt was the time when I was growing up to manhood, but until that time, and throughout the middle ages, Cicero was a great name, a sort of *θεὸς ἄγνωτος*, before whom all bowed the knee, but whose works were read by only a few. Dante, Petrarch, St. Bernard, a man of great intellect, and other eminent men of the middle ages, compre-

hended Cicero well, and were able to enter into his spirit. At the time of the revival of letters, the admiration of Cicero still increased. The rage of the Ciceroniani in the sixteenth century is well known; they regarded it as a heresy to use a word or a phrase which was not found in Cicero. Most of them lost their own wits by their slavish imitation; but others, such as P. Manutius, were extremely benefited by taking Cicero for their guide. Towards the end of the eighteenth century a reaction took place; Roman literature began to be neglected, in proportion as the study of Greek struck root, and during the first decennium of our century that tendency continued to increase. At that time it was painful to a lover of Cicero to see even scholars of distinction treat him as utterly contemptible, especially on account of his philosophical writings, which were decried as ludicrous gossip. That time has fortunately passed away, and I believe that at present the value both of Greek and Roman literature is, on the whole, correctly estimated. The attention which has of late been bestowed upon Roman history, has been followed by a more accurate estimate of the value of Roman literature. With regard to Cicero as an author I cannot say anything better than Quintilian, that the pleasure which a man takes in the works of Cicero is the standard by which we may estimate his own intellectual culture.<sup>9</sup> Cicero's style was not, however, altogether perfect. His early works, especially his celebrated orations against Verres, contain passages which are entirely unworthy of him, and are pure Asiatic declamations, which he himself afterwards censured in his maturer work, "*Brutus*." His latest productions, on the other hand, contain no symptoms of old age; they are not stiff, and no one can say that he had sunk. His genius was in its bloom at the period about his praetorship and consulship. This, however, was followed by a time of great depression, which lasted until

<sup>9</sup> Quintilian, xi. 1, § 71.

his return from exile. The most distinguished of his orations after his return is that for Caelius. The orations delivered when Caesar was at the head of affairs must not be judged of too severely; we have to take into consideration the pressure of circumstances. The second Philippic, I think, has been estimated too highly by all rhetoricians. In his vehemence Cicero here exaggerates, though this was not his natural disposition, which was on the contrary, mild and benevolent. There were some persons whom he hated; but at heart he was thoroughly benevolent.

His death is for us the last event of that unhappy year, in the course of which Brutus and Cassius established their power in the East. Brutus had made himself master of Macedonia, and was recognised by the legions. Dolabella, who had gone to Syria, was pursued by Cassius. His legions

deserted him, and he was obliged to surrender at Laodicea, where he lost his life. Dolabella as *consul suffectus* had thrown down Caesar's statue, and afterwards in Asia killed Trebonius, who having before been one of Caesar's friends, was certainly one of the most guilty among his murderers. Cassius was still very popular in Syria, from the time of the Parthian war: the legions declared for him, and all Syria submitted to his authority. In this manner Brutus and Cassius were, at the end of the year, masters of Macedonia, Achaia, and Asia; in short, of all the countries east of the Adriatic, as far as the frontiers of Egypt, while Rome was the scene of fearful proscriptions. C. Antonius, the brother of the triumvir, was a prisoner of Brutus, in Macedonia, and when the news of the proscriptions arrived, he was put to death.

## LECTURE CXIV.

THE unfortunate issue of the war of Philippi shews what the ancients call the irresistible power of fate, against which all human devices turn into misfortunes. What we call chance, or accident, had here the most lamentable influence. The long expeditions, for example, of Brutus and Cassius in Asia, though they were of some immediate advantage to them, since they afforded them opportunities for recruiting their exhausted means, and training their troops, were followed by most unfortunate consequences.<sup>1</sup> Had they been in Macedonia and Greece, they might have rendered it impossible for the triumvirs to assemble their masses and to land; they might have

compelled them to march round the Adriatic and through Illyricum, whereby they would have had great advantages on their side. The commanders of the fleet of the patriots, Statius Murcus, and Cn. Domitius Ahenobarbus, who were stationed in the Illyrian sea, appear to have neglected nothing; but fate was against them likewise: the winds were favourable to the triumvirs; they landed two or three different times on the coast of Illyricum, in separate squadrons, and advanced into the country. Brutus and Cassius had no troops at all in Illyricum and Macedonia, although they had no lack of soldiers; and those which had been there must have been removed to Thrace, not being strong enough to resist the enemy.

It was not till after the armies of Antony and Octavian had established themselves, and spread over Greece, which submitted to them, that Brutus

<sup>1</sup> I here pass over the manner in which Brutus chastised Xanthus in Lycia and in which Cassius conquered Rhodes, for these events belong to the later history of Greece. —N. See Appian, *De Bell. Civil.* iv. 65—8x.



and Cassius collected their forces in Asia, and crossed the Hellespont to march into Macedonia. The armies of the Julian party had already advanced as far as the narrow pass in the neighbourhood of Philippi, and the gold mines of Mount Pangaeus. The pass was between the mountains and the sea, and through it ran the road from Amphipolis to Thrace. Brutus was guided by a faithful Thracian ally, who enabled him to avoid the pass which was already occupied by the enemy, so that the patriots were enabled to pitch their camp near Philippi, opposite the enemy, while their fleet was in the western seas.<sup>2</sup> The question now was, what was to be done? Opinions were very much divided, Cassius, an experienced general, dreaded a quick decision; the army, on the other hand, demanded an immediate attack upon the enemy. There was no desertion among the troops, who kept faithfully to their leaders. It might therefore have been possible to protract the war, if the patriots had called the fleet to their assistance; but they did not know that they could have done so. If the fleet had arrived in the north of the Aegean, and had acted for a time on the defensive against the enemy, Antony and Octavian would probably have been obliged to retreat for want of provisions, and then Brutus and Cassius would perhaps have been successful. But unfortunately a battle was resolved upon. Nearly all the Romans of rank and wealth were in the armies of Brutus and Cassius, for the most distinguished persons had been proscribed, and the greater number of them had taken refuge with Brutus and Cassius, whilst a few only had gone to Sicily to Sex. Pompeius, who kept a considerable fleet of privateers, with which men of honour did not like to have anything to do, independently of the consideration that such a connexion would be likely to

injure the cause of the exiles with the Roman people.

In the battle which was fought near Philippi, Brutus commanded the left, and Cassius the right wing, or, according to a more correct mode of speaking, division; for, as in this case there was no centre, we cannot speak of wings. They were two distinct armies, drawn up side by side. In the battle again a fatal accident occurred: Brutus, who faced the army of Octavian, gained a victory without any difficulty. M. Messala, a very young man, who had been introduced to Brutus by Cicero, distinguished himself above all the other generals. He was a man whom Cicero had loved, and who was afterwards, in the reign of Augustus, the most distinguished person in his way. Octavian is generally charged with having betrayed his cowardice by not taking part in the battle. Antony himself afterwards brought this charge against him in public as well as in private letters; and the way in which some writers try to defend Octavian is a very shallow one. His army was probably commanded by Agrippa; and if so, it was certainly not in bad hands; but it was completely defeated, with the exception of its centre, which made a vigorous resistance; and the Julian camp was taken. On the other hand, the army of Cassius, which faced that of Antony, was decidedly beaten, but the camp was not taken, although the army was to some extent dispersed. Cassius believed that everything was lost, as the centre of Octavian's army held out; but as he could not form an accurate estimate of what was going on on the left wing, he despatched an officer to bring him a report of the state of things in the army of Brutus. As a considerable time elapsed before the officer returned, either from accident or neglect on the part of the messenger, Cassius became the more confirmed in his belief, and requested one of his servants to put an end to his life. There was a suspicion in antiquity that this servant had not acted by his master's command, but had treacherously murdered him.

Brutus was greatly disheartened at

<sup>2</sup> The vision which Brutus is said to have had, before he set out on his march, and which alluded to his fall at Philippi, appeared to him, according to some, at Sardes, according to others at Abydos.—N.

this unfortunate occurrence; but all was not yet lost. The battle had not been decisive either way, and matters still stood almost as they had been before the battle. Twenty days now passed away without anything further being done. Had Brutus known that his fleet had gained a complete victory on the same day on which the first battle of Philippi was fought, he would now have maintained himself on the defensive, according to his original plan; and by making the fleet land troops in the rear of the hostile armies, he would have compelled them to retreat. But it was not till after Brutus had yielded to the impatient demand of his army to bring the matter to a decision, that he heard of the news of his naval success having arrived in the enemy's camp; which, moreover, he did not believe, for the message which was sent to himself had been intercepted. Accordingly he allowed himself to be persuaded to fight another battle. It was painful to him that he had been obliged to promise his soldiers, who were as much demoralised as those of his opponents, the plunder of Thessalonica and Lacedaemon, if they should gain the victory. In this battle, however, his troops did not display the same bravery as before, and were completely routed. Brutus escaped with a number of his companions to a hill. Had he been able to reach the sea-coast, he might have been able to join his fleet. Life was now a burden to him, as it had been to Cicero, and the end of it was welcome to him. He commanded a faithful servant to perform the last duty towards him, and as the servant refused, he threw himself upon his own sword. He was at the time of his death not more than thirty-seven years old, so that at the time of Cicero's consulship he was only fifteen years of age.<sup>3</sup>

<sup>3</sup> According to Cicero, *Brut.* 64 and 94, Hortensius spoke first in the consulship of L. Crassus and Q. Scaevola (657, according to Cato), and ten years before the birth of Brutus, so that the latter was born in 667; and as he died in 710, he must have been in his 44th year. The other statement is that of Velleius Paterculus.

After this victory, Antony behaved very differently to what had been anticipated. The better part of his nature here gained the ascendancy, and many a one was saved by him, whilst Octavian displayed a cold-blooded and scornful cruelty, which was revolting to the minds of his own partisans, as we see from the account of Suetonius,<sup>4</sup> who shews a strange impartiality, although from his account it would seem as if Octavian himself had had little to do with the atrocities which were committed. One man, who was to be executed, prayed that Octavian would allow his body to be buried, to which he received the answer, that this was a point which he had to settle with the ravens. Antony ordered the body of Brutus to be honoured with a magnificent burial; but the son of Hortensius was ordered to be put to death, because Antony ascribed to him a share in the murder of his brother Caius. The majority of the proscribed who survived the battles of Philippi put an end to their own lives, as they despaired of being pardoned. It is surprising to find among them the father of Livia, who subsequently became the wife of Octavian, and whose husband, Tib. Claudius Nero, with his whole family, belonged to the Pompeian party. He even endeavoured to organise an insurrection in favour of the last proscribed. In the reign of Livia's son, Tiberius, Cremutius Cordus, the historian, was obliged to put an end to his own life for having praised Brutus and Cassius, and for having called the latter the last of the Romans.<sup>5</sup>

After the battles of Philippi the fleet of the patriots yet remained, but their armies were dispersed, and most of the soldiers entered the service of the conquerors, as was done so frequently in the Thirty Years' War. Many also returned to Italy in secret; as for example Horace, the poet, who had been among the volunteers in the army of Brutus. He had been staying

<sup>4</sup> *Aug. c.* 13.

<sup>5</sup> Tacitus, *Annal.* iv. 34, foll. Compare Plutarch, *Brut.* 44; Dion Cassius, *lvi.* 24.

at Athens, like many other young Romans, for the purpose of studying; and Brutus had received those young men as volunteers into his army, and appointed them tribunes. After his arrival in Italy, Horace was in difficulties, until he obtained pardon through the influence of Maecenas, and enjoyed safety and admiration.<sup>6</sup>

Octavian returned with his legions to Italy, where he exercised a fearful sway. Antony remained behind, as the real master of all the countries subject to Rome east of the Adriatic. During the time immediately succeeding the victory, he everywhere acted humanely; and the nations tried to console themselves with the prospect of having a mild master. The provincials were accustomed to being ill-treated, and they thanked heaven when the conduct of a governor was at all bearable. But soon afterwards, Antony travelled through Asia Minor, and extorted enormous contributions. A short time before those unfortunate countries had been compelled by Brutus to pay their tributes for five years at once, and Antony now commanded them to do the same within a very limited period, so that the inhabitants were thrown into frightful distress. But Asia Minor afterwards recovered, as it always does, unless it is governed by barbarians. Antony marched as far as Cilicia, and here he invited

Cleopatra to come to him. He was either induced to take this step by the reputation of her beauty, or it was a mere act of pride. Cleopatra felt sure that the voluptuous Roman would not be able to resist her charms, and she went to meet him without any fear, although she had done various things to support Cassius, for which she might have been taken to account. She sailed up the river Cydnus to Tarsus, attended by galleys adorned with gold and purple, and with a pomp which made her appear almost like a queen of fairies, and invited Antony to an entertainment. Here everything was prepared with a splendour and magnificence which the Romans could not have produced with all their treasures.<sup>7</sup> Antony fell completely into her net. She travelled for some time with him in Asia Minor, and he then accompanied her to Alexandria.

In the meantime there arose in Italy fresh misfortunes, the cause of which was the connexion between Antony and Cleopatra. Octavian had led his legions into Italy. The veterans were at that time as impetuous and impudent as after the death of Commodus.<sup>8</sup> Octavian had promised them the most flourishing municipia and colonies of Italy. The year 711, which followed that of the battles of Philippi, saw the general establishment of the Julian colonies in Italy.<sup>9</sup> The places in which such colonies were founded are not well known, and it is difficult to acquire an accurate knowledge of them.<sup>10</sup> Every one knows that Cremona was one of them. It had originally been a Latin colony. After

<sup>6</sup> The ode (ii. 7) beginning with

O, saepe mecum tempus in ultimum  
Deducte, Bruto militiae duce,

belongs either to the time after the peace between Sex. Pompeius and the triumvirs, namely to the year 713, when Horace was twenty-five years old, or to the year 712, in which Cn. Domitius Ahenobarbus joined Asinius Pollio (Appian, *De Bell. Civil.* v. 50; Velleius Paterc. ii. 76; Dion Cassius, xlviii. 16). In our editions of that ode there is a sad blunder in the punctuation. I do not remember how Bentley has managed it, but in the edition of Lambinus the punctuation is decidedly wrong. After *minaces* (v. 11) a comma must be inserted, and after *turpe* a sign of exclamation. *Turpe* is not an adjective, but an adverb, according to the usual Horatian mode of writing. *Solum tangere mentio* is not to be understood of those who had fallen in the battle, but of those who stumbled in their flight.—N.

<sup>7</sup> The Romans squandered a great deal of money; but few were able to arrange anything in a really splendid or tasteful manner.—N.

<sup>8</sup> It is a remarkable phenomenon that those wild beasts, who, for more than two centuries, held the fate of the empire in their hands, could be made to obey and feel that they were subjects.—N.

<sup>9</sup> Appian, *De Bell. Civil.* v. 12; Sueton. *Aug.* 13.

<sup>10</sup> I intend one day to write a separate work upon these Julian colonies, and hope to arrive at results which will be tolerably satisfactory.—N.

the Julian law it had become a municipium, and it was now changed into a military colony; which it may have been even as early as the time of Sulla. Virgil's life was endangered on the present occasion. In ancient times, when a place was assigned to the veterans, each man received only two jugers; but now, things were managed very differently, a common soldier receiving from 50 to 100 jugers, a centurion twice, and an eques three times that amount. When a town became a military colony, many square miles of the country around it were distributed among the soldiers, and if the territory of the place was not sufficiently extensive to make the necessary assignments, portions of the adjoining territory were cut off to make up the deficiency. The state of things at that time very much resembled that which existed in the Thirty Years' War in Germany, when the citizens and peasants were not taken into consideration at all, and the soldiers were everything. Let us take Crémone as an example of such a military colony. Andes, Virgil's birthplace, was about three miles from Mantua, and as the distribution of the territory of Crémone extended as far as Mantua and Andes, we may easily imagine the extent of such assignments, and dreadful distress of the people. In most cases, the former owners became of course the farmers of the soldiers. Horace mentions in one of his Satires,<sup>11</sup> Ofellus, who farmed his former estate, and was anxious to see the soldier, to whom it then belonged, lead so extravagant a life as to be obliged to sell it, in which case Ofellus would purchase it back. This state of things is so different from any with which we are acquainted, that we can scarcely form a clear notion of it.

All Italy was seized with the utmost alarm and despair; places which had done nothing to provoke the triumvir, and had never thought of opposing the Julian party, were confiscated like those which had openly espoused the cause of Pompey. Endless tumults and

confusion reigned throughout Italy. Among those who were expelled from their homes, there were unquestionably many of the sons of the old Sullanian colonists, who were ready to take up arms, and looked around to see who would come forward as their leader. Two men responded to the call, and declared for the dispossessed malcontents. One of them was L. Antonius, consul of the year (711), and brother of Antony the triumvir, who sought an opportunity of overthrowing the rival of his brother, and was instigated in particular by Fulvia, Antony's wife. Fulvia was a true Megaera, bloodthirsty, and of violent passions. She had formerly been licentious in her conduct; but since her marriage with Antony she clung to him with all the passion of love.<sup>12</sup> She had been a deadly enemy of Cicero, whose head she had caused to be brought to her from the rostra, and had feasted her eyes upon his dead features. Her jealousy was now excited by her husband's amour with Cleopatra, and she meditated upon creating a commotion which might induce Antony to return to Italy. Her motive was a very natural one, and she tried to excite a civil war. She accordingly went to Praeneste, and there proclaimed the protection of the oppressed. L. Antonius joined her at Praeneste, and Tiberius Nero, the husband of Livia, came forward in Campania on the same side, though, it would seem, from no other motive than humanity. Octavian on this occasion acted with skill and prudence, the merit of which however belongs to Agrippa, who was a wise man. Octavian was naturally a coward, but events had matured him. He applied to his veterans, whose interest it was to support him. The generals of the Antonian party who were in Italy were deficient in resolution. Asinius Pollio, who was in his province of Gaul and Illyricum, would not fight

<sup>12</sup> The late Queen Caroline of Naples, the wife of King Ferdinand, and a woman of great talent, very much resembled Fulvia in her conduct.—N.

<sup>11</sup> ii. 2, 112, foll.



for either party, although he belonged to that of Antony; and Octavian thus succeeded in isolating L. Antonius, who went to Perusia, accompanied by Fulvia, a division of Antony's veterans, and numbers of fugitives from the municipia, senators, and equites. At Perusia they were besieged by Octavian. As it was believed that peace was impossible, the besieged bore the famine which raged in the place with great resolution. This siege is one of the most frightful in history. As all attempts at forcing their way through the besieging army failed, L. Antonius and his party at last capitulated. Octavian granted pardon to L. Antonius, who now turned round and acted as a traitor towards his own party. Fulvia was set free on condition of quitting Italy, whence she went to Greece. The veterans entered the service of young Octavian, in the hope of receiving new assignments of land, for he promised to take care of them, as if they were his own; the newly enlisted soldiers likewise went over to him, so that there remained only the unfortunate senators, equites, and the

inhabitants of Perusia, all of whom were obliged to surrender at discretion: 300 of the most distinguished citizens of the town were afterwards solemnly sacrificed at the altar of Divus Julius. The town itself was reduced to a heap of ashes, either by the despair of its inhabitants, or by the soldiers while plundering it. Perusia was afterwards restored as a Julian military colony, under the name of Perusia Augusta,<sup>13</sup> by which on solemn occasions it is still called. Thus terminated an undertaking, in which people had been obliged to entrust themselves to an unprincipled man, who was not only without skill, but without any sense of honour. There was now every appearance of the speedy breaking out of a civil war.<sup>14</sup>

<sup>13</sup> Appian, *De Bell. Civil.* v. 32—50; Sueton. *Aug.* 15.

<sup>14</sup> The celebrated fourth Eclogue of Virgil was written in 712, the year of the Perusinian war. It is an eulogy on Asinius Pollio, who was then in Cisalpine Gaul, and not on good terms with Octavian. Virgil was at the time probably at Mantua, and protected by Asinius Pollio.—N.

## LECTURE CXV.

DURING the war at Perusia, Antony had not been able to make up his mind to do anything, and it was not till the issue of the contest was decided that he assembled his troops in Greece, and came over to Brundisium. The mediation of Maecenas and Cocceius now brought about the peace of Brundisium,<sup>1</sup> between Octavian and An-

tony, which delayed the outbreak of a fresh civil war, for nine years. To secure the permanence of the peace, it was agreed that Antony should marry Octavia, the widow of C. Marcellus, and half sister of Octavian, not by Atia, but by the same father, so that she did not belong to the Julian house. Antony was unworthy of her, and treated her in the most disgraceful manner. She was a noble woman, though she lived in a very corrupt age, and is a sad instance of the personal and domestic misfortunes to which persons of high rank are exposed. Her conduct as a wife was exemplary, towards Antony who shamefully neglected her, as well as towards C. Marcellus. As a mother she was ex-

<sup>1</sup> Horace (*Sat.* i. 5, 29) alludes to this mediation, when he says of Maecenas and Cocceius *aversos soliti componere amicos*. Most of Horace's poems are productions of his youth, or at least belong to the period previous to the battle of Actium. But I do not believe that we possess any of his productions which belong to an earlier date than the battle of Philippi. The most poetical period of his life was when he was about the age of thirty.—N.

cellent, but she had the misfortune to lose her dearest son, M. Marcellus, who was the hope of the Roman people; among her children by Antony seems to have been one only,—Antonia, subsequently the wife of Drusus, the son of Livia,—that was a pleasure and a comfort to her. A new division of the empire also was made at Brundisium: Antony was to have the whole of the eastern part from the Ionian sea,<sup>2</sup> and Octavian the western with the exception of Africa, which was given to Lepidus, to whom, I believe, Sicily and the islands between Sicily and Africa also were assigned, although Sicily was yet in the possession of Sextus Pompeius, the younger son of Pompey the great.

After the battle of Munda, Sext. Pompeius had taken refuge among the Celtiberians, and collected a force. During the year of Caesar's death he carried on a war against Asinius Pollio, in which he maintained himself, although nothing decisive was effected. During the amnesty which was proclaimed after the death of Caesar, he with the other exiles had been recalled by the senate from Marseilles, and the value of his paternal property and the *imperium orae maritimæ* were to be restored to him. The former he did not receive, but he created the imperium for himself. The proscriptions which then followed brought him into great danger, and he could not venture to go to Rome, as Antony was in possession of his father's house in the Carinae, and would have killed him. He now wandered about as an adventurer, and as the captain of a band of pirates, like those whom his father had conquered; for the sons of those pirates, or they themselves, were, according to the oriental fashion, attached to their conqueror or his family as their patrons. With the help of these

pirates, Sext. Pompeius made himself master of Sicily, which was still almost wholly a Greek country. The pirates were either Greeks or Hellenised Asiatics, so that the power which now became established in Sicily, was a very peculiar and strange one. After the battle of Philippi, Statius Marcus joined Sext. Pompeius with a part of the fleet of Brutus and Cassius. Domitius Ahenobarbus, with the rest of the fleet, carried on war for two years on his own account, and then joined Asinius Pollio; who reconciled him to Antony, to whom Domitius then attached himself. Before going to Philippi, Antony had made an unsuccessful attempt upon Sicily, and during the two years which followed the defeat of Brutus and Cassius down to the peace of Brundisium, 712, Sext. Pompeius greatly increased his forces and established his power.

Octavian and Antony had made the new division of the empire independently of Lepidus, whom they had confined to Africa without asking his consent. A peace was also concluded between Sext. Pompeius and the triumvirs, near Cape Misenum. Pompeius here appeared with his fleet and received the triumvirs in his admiralship. He then returned their confidence by landing and partaking of an entertainment with them. While the triumvirs were on board the ship of Pompeius, Menodorus, one of his commanders, who had formerly been the leader of a band of robbers, conceived the plan of cutting the cable, and carrying off the two triumvirs. But Pompeius would not allow the scheme to be carried into effect. By the peace of Misenum, which remedied the great distress of the Roman people, who were severely suffering from want of provisions, Pompeius obtained Sicily, to which, according to a very probable account, Achaia and Sardinia were added, so that he was in the centre of the maritime region; he remained in the undisturbed possession of these islands for four years. By this peace also all the surviving proscribed obtained permission to return to Rome.

<sup>2</sup> This division appeared so natural to the ancients that, in the time of the emperors, the same line of demarcation was drawn between the eastern and western parts of the empire; in the reign of Severus it was projected; under Diocletian it was almost fixed, and at last under the sons of Theodosius was permanently established.—N.

Sext. Pompeius is said to have been *sermone barbarus*;<sup>3</sup> he was indeed a very rough person and a mere *condottiere*, who had no thought except that of maintaining himself at the head of his forces and in his dominion. If he could have effected this, he would have been perfectly satisfied; for he never dreamt of restoring the republic. It should however be remembered that he was very young when he was obliged to leave his country. It is remarkable to see how, at that time, men who did not receive a thorough education neglected their language, and spoke a corrupt form of it. Only those who were very well educated, spoke pure Latin; the urbanity or perfection of the language easily degenerated, unless it was acquired by careful study. Cicero<sup>4</sup> speaks of the *sermo urbanus* in the time of Laelius, and observes that the ladies of that age spoke with exquisite beauty. But at the period now under consideration the refined language had already sunk, as is, generally speaking, the case everywhere in our days, even in England and France.

As peace was thus restored, Antony returned to the East. After the battle of Philippi, T. Labienus, who had been in the army of Brutus, had fled with some troops to the Parthians. His misfortunes cannot excite our sympathy: he was a seditious tribune in Cicero's consulship, and allowed himself to be used as a tool by Caesar in his usurpation. He belonged to a seditious family; his uncle had been killed in the Capitol with Saturninus, in the sixth consulship of C. Marius. In his tribuneship, Labienus endeavoured to avenge the murder of his uncle upon C. Rabirius, who was one of the few survivors of those who had stormed the Capitol with Marius, thirty-seven years before.<sup>5</sup> Labienus, who was very rich, and a mutineer from inclination, then threw himself into the arms of Caesar. He served in Caesar's Gallic wars, and distin-

guished himself, for Caesar speaks of him with great praise; but afterwards Labienus, for some reason with which we are not acquainted, joined the party of Pompey. He fought with Pompey in the battle of Pharsalus, and afterwards went to Africa, and thence to Spain. We next find him fighting in the army of Brutus; on whose defeat he escaped to the Parthians, and soon afterwards led a Parthian army into Syria. The Parthians, thus commanded by one of Caesar's generals, accomplished things in which they could not otherwise have succeeded; but after several victories they were defeated by Ventidius. Labienus joined the party of Caesar at first only in consequence of the political views entertained by his family, as we often find in the history of that time.<sup>6</sup>

After his departure from Italy, Antony again went to the East, and lived for a time with Octavia, without any connexion with Cleopatra; but after some months he obliged Octavia to return with her children to Rome, while he himself henceforth lived sometimes in Asia, and sometimes at Alexandria. In Asia, he was tempted by the prospect of gaining laurels in a war against the Parthians; for he, like all

<sup>6</sup> The fact of Asinius Pollio being so decidedly against Pompey, the senate, Cicero, Brutus, and other men for whose personal character he must have had great regard, was, according to my firm belief, the consequence of personal circumstances; Pompeius Strabo, the father of Pompey, had conquered, in the Social war, the Picentines and Marrucinians, to which people Asinius Pollio belonged, and had put to death Herius Asinius, his father or grandfather (probably the former, for Pollio called his own son Herius Asinius. Vell. Pat. ii. 16; Appian, *De Bell. Civil.* i. 40). Now as Caesar's party had at that time taken the same ground as that of Marius, and had, in fact, inherited its principles, Asinius Pollio joined it. I do not mean to defend L. Munatius Plancus, although he was a man of great talent; but if we trace the connection of events, we cannot but perceive that he was influenced in his conduct by the fact of his being a Tiburtine. The Tiburtines, Praenestines, and in short all the Latins, were sincerely attached to Cinna's party; and as Caesar was Cinna's son-in-law, they naturally supported his party. These things are not mere speculations; analogous cases constantly occur in the political history of England.—N.

<sup>3</sup> Vell. Pat. ii. 73.

<sup>4</sup> *De Orat.* iii. 12.

<sup>5</sup> See Cicero's oration for C. Rabirius.

the Romans of the period, was stung to the quick when he thought of Crassus and his legions which had been defeated by the Parthians. Artavasdes, king of Armenia, held out to Antony hopes of wiping off the disgrace. All Parthia consisted of separate kingdoms; not satrapies, but feudal principalities, under the Parthian king of kings, whose court was at Ctesiphon near Seleucia. Antony traversed Armenia and Azerbidjan with an enormous army, and advanced into Media, the real Irak Adjemi. Very few places in those countries can be identified; for although the ancient oriental names are known, those by which the towns were called in the West are not. Antony besieged Phraata, a town the site of which is altogether unknown, but his plan was not good. In consequence of bad roads he had left his artillery behind him, under the protection of two legions and his legate Statianus. Phraates, the king of kings, acted very skilfully, and took possession of the depôt, after having annihilated the troops who were to protect it. This and other circumstances placed the main army of the Romans in such difficulties that they retreated, until after struggling with great difficulties they reached Armenia: Antony nearly met with the same fate as Crassus; a fourth of his army was destroyed, and the greater part of his baggage was lost.<sup>7</sup>

Antony returned to Alexandria, and there again revelled in sensual pleasures with his concubine, to whom, to the great annoyance of the Romans, he gave Coele-Syria, Judaea, and Cyprus.<sup>8</sup> Plutarch's life of Antony is very lengthy, but it contains many interesting anecdotes which he had received from the mouth of his grand-

father or great-grandfather. It shews the fearful distress of those times; and his descriptions of the condition of Greece in particular, are extremely interesting. His comparing Antony with Demetrius at first excites our surprise; but there is, nevertheless, a great analogy between the two characters. Antony lived surrounded by Eastern splendour and luxuries, procured by the sums which he had extorted from the subject nations, and Plutarch's anecdotes shew in what a contemptible manner he spent his time. If one is occupied with the history of a man, he usually excites a kind of sympathy in us; but this is not the case with Antony: we feel, on the contrary, glad that things are coming to a close with him. He did not however forget the disgrace of his Parthian campaign; to expiate which he invaded Armenia and made prisoner Artavasdes, who had before deserted him in his war against the Parthians. Artavasdes was carried to Alexandria, where Antony celebrated a splendid triumph.

In the meantime Octavian made war upon Sext. Pompeius. Agrippa was the soul of the undertaking: he built a fleet in the lake Lucrinus, formed the lake into a harbour by digging a canal from it to the sea, and trained his fleet for maritime warfare. A reasonable pretext for the war did not exist, but notwithstanding this, the conquest of Sicily was undertaken. Octavian was anything but perfectly successful in the war, although he conquered his enemy in the end. His fleet was twice destroyed by storms; but Agrippa restored it, and at last gained a glorious victory off Mylae (Milazzo). Octavian's fleet, on the other hand, was completely defeated before his eyes off Tauromenium, and it must be said, to his disgrace, that the commanders of the enemy's fleet were freedmen, Mena and Menecrates.<sup>9</sup> Octavian's troops had indeed landed under Cornificius, one of his most faithful friends; but

<sup>7</sup> Plutarch, *Anton.* 33, foll.; Pseudo-Appian, *De Bell. Parth.* p. 71, foll. ed. Schweigh. ; Vell. Pat. ii. 82.

<sup>8</sup> It is an unaccountable phenomenon that this kingdom received the name of Chalcis, which, as far as I am aware, occurs only on coins of Cleopatra. I cannot explain it, but do not agree with the numismatists, who refer the name to the tetrarchies as they existed at a later period.—N. (Compare Eckel, *Doctr. Num. Vet.* iii. p. 264, foll.)

<sup>9</sup> *Μηνῆς*, the same as *Μηνόδαρος*, not Maenas; the name is known from the Epistles of Horace (i. 7).—N.



he too was defeated, and would have been destroyed with his forces, had not Agrippa saved him. A new fleet was built; and another great naval victory gained by Agrippa decided the contest. Sext. Pompeius fled to Asia Minor, and implored the protection of Antony, who was inclined to grant it, but could not make up his mind as to what he should do. At last Sext. Pompeius was murdered in Phrygia by Titius.<sup>10</sup> What renders this murder more revolting, is the fact that its perpetrator was one of the proscribed men on whose behalf Pompeius had exerted himself; for, in his treaty with the triumvirs at Misenum, he had stipulated for the suppression of the proscription, that the lists should be destroyed, and that those whose names were on them should be restored to their former rights. Whether the Pompeian family now became extinct, or whether the Sext. Pompeius who is mentioned as Consul in the reign of Tiberius was a descendant of the family, I cannot now say.

By the expulsion of Pompeius from Sicily, Octavian became master of the island. At the beginning of the war he had called in the assistance of Lepidus; but the latter, dissatisfied with the proceedings of his colleagues, who had made all their arrangements without consulting him, now wished to shew them a kind of defiance, and he delayed coming to Sicily. At last, however, when the matter was already very complicated, he came with a considerable army. After the defeat of Pompeius, he quarrelled with Octavian about the possession of Sicily, and if we look at the question as one of absolute justice,—if we can speak of justice in such transactions of robbers,

—I believe that Lepidus had a right to demand the evacuation of Sicily; but Octavian surpassed him in resolution and dexterity. Lepidus did not enjoy the esteem or love of any man, not even of his soldiers. Octavian therefore went into the camp of Lepidus—the boldest thing he ever did—and commanded the soldiers to abandon their general. Octavian's scheme succeeded: he gained over the soldiers by the hope of great rewards, perhaps also because they were well-disposed towards the adopted son of Caesar, and Lepidus was forsaken by all the world. Octavian assigned to him Circeii<sup>11</sup> as his habitation, and took the province of Africa for himself; so that the whole of the Western empire was now united under him. Lepidus led a sad but undisturbed life, with the title of Pontifex Maximus, until he died, several years afterwards.

Soon after this, the war of Actium broke out, the immediate cause of which was that Antony had divorced Octavia, who had gone as far as Athens to carry to her husband rich presents, troops, and provisions, for his campaign against Artavasdes. Antony did not receive her, although she was accompanied even by the children of Fulvia; but ordered her to give up to his officers what she had brought for him, to return to Rome, and not to live in his house there. While she was living at Rome as his wife, he sent her a letter in which he informed her that she was divorced; and he formally married his concubine, an occurrence which must have been most disgusting to the Romans.

<sup>10</sup> Dion Cassius, xlix. 18. Compare Appian, *De Bell. Civil.* v. 144; Strabo, iii. p. 141.

<sup>11</sup> This place, situated near the Pomptine marshes, is as gloomy and melancholy on the land-side as it is beautiful from the sea-side.  
—N.

## LECTURE CXVI.

THE last internal war, before the establishment of the Roman monarchy, began under circumstances which could leave no doubt as to what its issue would be. Antony had formerly been a greater general than Octavian; but that time was gone by, and the best officers now served under Octavian, who also had quite different nations from which he could reinforce his legions. If the war had been protracted, Antony might have reinforced himself, which he could not do by levying troops among the unwarlike nations of the East. As far as the fleets were concerned, Antony seemed to have advantages over Octavian, for the countries round the eastern part of the Mediterranean possessed a proportionately greater number of good sailors than the nations of the West; and if the means which Antony had had at his command had been for ten years in the hands of an able and energetic man, they would have formed a great power; but he had neglected everything. The fleet of Octavian consisted of the remnants of the Pompeian fleet, and the ships which Agrippa had built for him. They were mostly small sailing vessels; whereas those of Antony were large, and some of them gigantic rowing galleys, provided with towers and several decks, so that they were more fit to exhibit a land fight than for manoeuvring on the water. Agrippa, whom we may properly call the admiral of Octavian, displayed an extraordinary activity in this war.

Antony was stationed at the entrance of the Ambracian gulf, near the ancient Corinthian colony of Actium, where he had assembled his army and fleet with the view of crossing over to Italy, if he should be successful at sea. The fleet of Octavian was stationed off the Thesprotian coast. The two armies faced each other near the entrance of the gulf of Prevesa, as the fleets did at

the mouth of the Ambracian gulf. Agrippa made several isolated undertakings, and took Leucas and Patrae, in the rear of the enemy, and thus made it difficult for them to supply themselves with provisions: in consequence of which they suffered considerable distress. In the ensuing battle, Antony, with his numerous forces, might at least have disputed the victory for some time, although he could not probably have gained it, if Cleopatra and her Egyptian ships had not taken to flight with effeminate cowardice, and that at a moment when nothing was yet decided. But whether Antony thought it was Cleopatra's intention to sacrifice him, and thereby, and by the exercise of her charms, to make peace with Octavian, or whatever may have been his motive, at all events he seemed quite to forget the battle, and followed her in a quick-sailing vessel. Her royal ship received him; but meantime his whole fleet, being deprived of the strongest ships, was destroyed by Agrippa. Everything was now lost. Antony was in despair, for it was clear that the war could not end in a peace; and that nothing short of the life of the vanquished could satisfy the conqueror. Antony's anger with Cleopatra, whom he had followed to Alexandria, lasted for three days; but her magic power over him was so great that he became reconciled to her even now, and endeavoured to deceive her concerning his real position. He hoped that his land forces would be more successful, for they were attached to him,<sup>1</sup> and in spite of all the offers that were made to them, they held out resolutely for six days after his departure, still believing

<sup>1</sup> Things had been different in the time of the successors of Alexander, when armies went over from one general to another. The troops of Antony, which in a moral point of view were no better than bands of robbers, remained faithful to their commander.—N.

that he would return, until at length they found themselves abandoned by Canidius, their commander. They now listened to the proposals of Octavian, and recognised him as imperator. Thus the war was at an end; and the Roman legions that were yet scattered about in the East surrendered to Octavian without any further opposition, except in a few cases, where resistance was continued from personal motives.

The battle of Actium, so famous in the history of the world, was fought on the 2nd of September<sup>2</sup> of the year 721. Whatever we may think of Octavian himself, it cannot be denied that the victory of Actium was the happiest event that could have happened, and that people could not have prayed to heaven for a more fortunate issue of the war. Horace's expressions concerning the victory of Actium<sup>3</sup> are not of the kind which we have to regard with connivance or indulgence, for they are perfectly true and just. But eleven months yet passed away, before the war was quite at an end. After the battle of Actium, Octavian returned to Italy, where fresh disturbances had broken out, for the veterans were still very rebellious, and demanded fresh assignments of land. Agrippa in the meantime took possession of the eastern provinces; and it was not till the spring of the following year, that Octavian marched through Syria towards Pelusium, the *claustra* of Egypt. It is not improbable that Cleopatra had given secret orders for Pelusium to surrender,<sup>4</sup> as the place admitted the invaders without resistance; for, as a vain woman, she may still have entertained a hope of winning Octavian as she had won Caesar. The

only thing she dreaded seems to have been, lest the war should be protracted, and Octavian should thus come to Alexandria as an inexorable enemy. These circumstances render it very probable that Pelusium surrendered to the enemy by her command. Octavian however not only made his attack from Pelusium, but sent another army to march from Paraetionium, in Libya towards the capital. This was possible only for a small army, for the country between Cyrene and Alexandria, through which the soldiers had to march from Paraetionium, was a most inhospitable region, and contained no fortified places at all. The two Roman armies thus met at Alexandria. Antony still had a number of Roman soldiers, both cavalry and infantry, with whom he wanted to make a sally, but most of the soldiers employed in it went over to Octavian. Antony thus found himself abandoned by all, except a few who remained with him from despair, such as Cassius of Parma, one of the murderers of Caesar. He resolved to die, and died a cowardly and miserable death. The fatal wound which he inflicted upon himself did not produce an immediate effect, and some time elapsed before the loss of blood caused his death. Cleopatra had shut herself up in her palace with the most costly treasures of her kingdom. Octavian wished to take her alive, that he might carry her to Rome in triumph; for there was a report that she wished to die the death of Sardanapalus. On the 1st of August 722, Alexandria capitulated. The condition was that, on the following day, the gates should be thrown open to the Romans. Cleopatra kept the body of Antony, who died on the day of the capitulation, in her room, and she herself was wavering between the hope of conciliating Octavian and the feeling that she ought not to survive Antony. Proculeius, an officer of Octavian, who is honourably mentioned in one of the Odes of Horace,<sup>5</sup> endeavoured to persuade her not to put an end to her life, and promised

<sup>2</sup> This battle ought to have refuted those later writers, such as Gellius (v. 17) and Macrobius (*Saturn.* i. 15), who could not see anything beyond what they found in their books, and who assert that no battle could be ventured upon on the day after the *calendae*, *nonae* and *idus*, without great misfortunes to Rome. There are hundreds of instances in which such men were unable to see with their own eyes.—N.

<sup>3</sup> See especially *Carm.* i. 37, and *Epod.* 9.

<sup>4</sup> Plutarch, *Anton.* 74.

<sup>5</sup> ii. 2, 5.

her safety. She was prevailed upon; but when she found that Octavian would not allow her to appear before him, when she saw that she would be spared only to adorn his triumph, and when all her requests to be left in possession of the kingdom which Antony had given her were either rejected or not answered at all, then, after having tried various poisons, or not venturing to apply them, she put a viper on her breast, and thus ended her existence.

The war was terminated on the 2nd of August, 722. The death of Antony had put an end to the civil war and the triumvirate, which had in fact ceased to exist some time before, when Lepidus was excluded. From this moment Octavian was sole master of the Roman world. A decree of the senate afterwards ordained, that in future *feriae Augustae*<sup>6</sup> should be celebrated on the first of August,<sup>7</sup> and the month of Sextilis received the name of Augustus, as Quintilis had received that of Julius. Octavian would have preferred to give his name to the month of September, in which he was

born; but as his appointment to his first consulship, and the termination of the Civil War, fell both in the month of Sextilis, the latter received the name of Augustus.

It is my intention to conclude my History of Rome with the year 722; for here Rome's history is at an end, and assumes a totally different aspect. The history of Rome from that time onwards until the fall of the empire resolves itself into histories of the several emperors; and the ancients were quite right in so viewing and treating it, and in calling Octavian, who now received the name of Augustus, the first emperor. I shall accordingly relate to you the history of each of the emperors, and give you an account of his government, his wars, and the like. But before I proceed to do so, I have to speak of the transition of Rome from a republican to a monarchical state, and of the institutions of the latter. To this I shall add a brief account of Roman literature down to the time of Augustus, and the history of Augustus, of his wars, and of his family.

<sup>6</sup> In several of the MS. notes there seems to be a reference to the *Fasti Praenestini*; but as they do not contain the month of August, I suspect that the *Calendarium Amitemum* is meant (Orelli, *Inscript.* vol. ii. p. 397) where we read—*Feriae ex S. C. Q(uod) E(o) D(i)e Caesar, Divi F. Rempub(lic) am) tristissim . . . periculo liberat.*

<sup>7</sup> These *Feriae* were celebrated with general solemnities and public entertainments, at which persons appeared decorated with garlands of flowers. They continued to be celebrated down to the time of the Empress Placidia, and even in that of Pope Leo the Great under the name of *feriae Augustae*. The festival was indeed a political one, but was connected with libations and other religious observances, and the ancient rites and ceremonies were carefully preserved down to the latest times. Hence the festival *Sancti Petri in Vincula*,\* (according to Bede and Biondo of Forli) was transferred to that day, and Christian Rome allowed it to be celebrated in a manner which was a complete continuation of the ancient *feriae Augustae*: the day remained as it had been before.

\* In the church of S. Pietro in Vincula, on the Esquiline, in the baths of Trajan, there are preserved the chains with which the Apostle Peter was fettered at Rome, and also those which he wore at Jerusalem.

The clients even at the present time go on that day to the houses of the patricians and receive presents. What I here call clients are persons who have a sort of claim to receive presents on certain occasions, just as we see them described in Juvenal; and such persons receive their presents usually on the first of January and the first of August. It is still customary with domestics at Rome to ask presents on those days, and persons are compelled to spend a considerable sum of money in that way. I have often been annoyed at it, until I found in the work of Biondo of Forli that it was a remnant of antiquity. The name *Feraugusti* or *Feragosto* occurs throughout the middle ages. Various other ancient rites and ceremonies have been continued in Christian Rome in this manner. Down to the eighteenth century, for instance, a carved figure of the Virgin Mary was carried from the city to the small river *Almo* and washed in it, just as was customary in ancient times with the statue of *Cybele*: throughout the middle ages, moreover, the statues of saints were carried about in procession from one church to another, and this was nothing but a continuation of ancient solemnities which we meet with both at Rome and in Greece. I might mention a great many other things which exist at Rome down to this day, and remind one of the pagan times. But many of these customs have lately been abolished, or have fallen into disuse.—N.



The history of the empire will be much briefer in proportion than that of the republic; for in the latter we had to consider all the separate men who acted a prominent part, whereas under the empire we shall have to deal with the government on the one hand, and with the masses on the other. Most of the wars under the empire are of a kind which render detailed descriptions unnecessary: those of Drusus and Germanicus form, of course, an exception.

In accordance with my plan, I will now give you an outline of the manner in which Octavian established the Roman monarchy. He had already been invested with the consulship several times. His first consulship belongs to the year 709, the second, which he received ten years later, was resigned soon after he had entered upon it. Two years later he obtained the third, and thenceforward he was consul uninterruptedly until the eleventh year. The number of all his consulships amounts to thirteen. Soon after the termination of the war of Actium he assumed the appearance of intending to resign his power; but every one knew that it was a mere farce, and that no one could take him at his word. All the armies had sworn allegiance to him, and were dependent upon him, and except the soldiers, no citizen was in arms. Even if it had been possible, no sensible man could have wished him to lay down his power; for, as it had been impossible to maintain the free constitution under far more favourable circumstances, and at a time which was far richer in eminent men, how could it have been possible now, if Octavian had resigned his power? Nothing is more probable than that some more unworthy person would have usurped it; new civil wars would then have been the consequence, and things would again have come to the point at which they now were. It was further evident that the present ruler was anxious to make the people forget his former actions; and nothing, therefore, was more natural for the senate than to request Octavian to keep possession of his power. To give you a chronological account of the succession in which the

several powers of the state were transferred to Octavian, is, if not impossible, at least very difficult. The title of Imperator had already been given to him as a *praenomen*,—a peculiar and characteristic flattery. He was accordingly called Imperator Julius Caesar Octavianus instead of C. Julius Caesar Octavianus, and from that time Imperator remained a *praenomen* with the Roman monarchs, as we see on their coins. In the history of the later emperors, and even as early as the second century, this circumstance seems to have been forgotten, as the whole system of names underwent a change. In official documents, it is true, we usually read, for example, Imperator Antoninus Augustus, but otherwise we also find Imperator Marcus Antoninus Augustus. The senate seems to have positively tortured itself in devising flatteries for Octavian. He himself wished to assume Romulus as an *agnomen*, but this was thought ominous by some persons; and on the proposal of L. Munatius Plancus, who was as great a flatterer as the Greeks had been in the time of the Macedonian rulers, it was decreed that he should be honoured by the surname of Augustus instead, which the Greeks immediately translated into *Σεβαστός*, but which it is difficult to translate into any modern language.

With regard to his powers, the senate offered him the dictatorship, which, however, he declined; for he was superstitious, and may have dreaded the fate of the dictator Caesar, or the wretched death of Sulla; perhaps, however, his intention was only to temporise, and the acceptance of the dictatorship may have appeared to him too straightforward a mode of acting. He was elected to the consulship every year, as long as he pleased. It was at first proposed to make him sole consul, but he not only declined this honour, but wanted to have two colleagues. The senate, however, refused this request, on the plea that one man standing by his side was already too much. He obtained the proconsular power over the whole of the Roman empire, with

the exception of Rome itself; and he was empowered to give the administration of the provinces to whomsoever he pleased to appoint as his viceregents. The censorship was likewise transferred to him, and with it the power of excluding persons from the senate and of calling others into it. The *tribunicia potestas* had been given to him before, and was afterwards prolonged for life. By virtue of it he had the power of annulling any decree of the senate, and of interfering in all the acts of all the magistrates; an appeal to him, moreover, was open from all the courts of justice; he had the right to convoke the senate, and to put any subject under consideration to the vote of the senators. This latter part of the tribunician power had

arisen in the seventh century, and nobody ventured to doubt its legitimacy.<sup>8</sup> As long as Lepidus lived, Augustus left him the title of Pontifex Maximus, but after his death Augustus caused the pontificate to be transferred to himself. This office put at once into his hands all the ecclesiastical courts, and the whole superintendence of the ecclesiastical law. In the capacity of tribune and censor he also had the supreme control over the aerarium, so that by an artificial accumulation, all the powers of the state, including the administrative powers of the consuls and praetors, were concentrated in his person.

<sup>8</sup> Gellius, xiv. 7, 8.

## LECTURE CXVII.

It was only for the sake of appearance that Augustus, in making his new arrangements, went back in everything to the ancient forms. Caesar had reserved to himself half the elections, and in the end he took all of them into his own hands; but Augustus restored to the comitia the right of electing the magistrates; though it was always a matter of course, that the *candidati Caesaris* could not be rejected. Horace and other poets of the time speak of the uncertainty of the popular elections, and of the *ambitio Campi*, in a manner which would be perfectly applicable to the republican times; and there is unquestionably some truth in those expressions, for Augustus did not probably take the trouble or exercise his power to dispose of all the offices of the state, and we have instances of the people carrying out its will in spite of that of the sovereign. Thus we read of the tumult of Egnatius Rufus, who claimed the praetorship immediately after the aedileship, in defiance of the person who acted in the name of Augustus in the comitia, and

in defiance of the *leges annales*. In the same manner Egnatius Rufus obtained the consulship immediately after his praetorship, through the people's favour.<sup>1</sup> So far the appearance of liberty remained. The assemblies of the people were, however, on the whole, confined to the elections of magistrates, and a plebiscitum cannot be seriously spoken of in the reign of Augustus. The decree of Sextus Pacuvius respecting the name of the month of Sextilis, in the form of a plebiscitum, is quite a different thing.<sup>2</sup> *Leges* were still passed in the time of Augustus; and in the Roman law-books we meet with several that were carried in the ancient form: that is, a resolution of the senate was brought before the centuries by the consuls, and was there passed as a *lex*. The *lex Junia Norbana*<sup>3</sup> might almost lead one to believe that this mode of making *leges* continued till the time of Tiberius; but afterwards *leges*, in the

<sup>1</sup> Vell. Paterc. ii. 91, foll.

<sup>2</sup> Macrobius, *Saturn.* i. 12.

<sup>3</sup> Gaius, i. 3, 16, 17, 22; iii. 56.

strict sense of the word, no longer occur.

Caesar had introduced into the senate a number of adventurers; and it had been still more disgraced in the time of the triumvirate, especially by Antony, when seats in it might be purchased for money. After Augustus had received the censorial power, he announced that those men who were conscious that they would be better out of the senate, should withdraw from it, that they might not be expelled; adding that those who would withdraw should be dealt with most leniently. About fifty senators took the hint; but as there were still some unworthy men left in the senate, Augustus excluded several more; but in order not to hurt their vanity too much, he left them their outward distinctions, such as the *latus clavus*, and their honorary seats in the theatres: a great consolation for the wretched men! Augustus fancied that they intended to make an attempt upon his life; and this probably induced him to treat them considerably.<sup>4</sup> He raised the *census senatorius*, which for some time, we know not how long, had been double the equestrian census, to a million sesterces,<sup>5</sup> but behaved very generously in this respect—which, however, did not cost him much—for he provided from the public treasury the means to enable many a one whom he liked to retain his seat in the senate. The ordinary meetings of the senate had hitherto been regularly three times in every month, which is a surprisingly small number, but Augustus reduced it even to two meetings a month.<sup>6</sup> Extraordinary meetings, which the emperor might convoke at any time, do not occur in the reign of Augustus. During the months of September and October the senate had vacations.<sup>7</sup>

<sup>4</sup> Sueton. *August.* 35.

<sup>5</sup> Dion Cassius, liv. 17, 26; lv. 13; Sueton. *August.* 41.

<sup>6</sup> Dion Cassius, lv. 3; Sueton. *August.* 35.

<sup>7</sup> It is very interesting and amusing to trace the actual customs of modern Rome to ancient institutions. As an instance, I will mention here that the vacations in all the public offices at Rome still take place in October, which is considered to be a continua-

No subjects could be discussed in the senate except those which were brought before it by the consuls, who had the *jus relationis*, which Augustus himself also possessed, and which subsequently became of such importance. He himself was *princeps senatus*,<sup>8</sup> an honour in which the *jus relationis* had been implied in the early times of the republic, but afterwards it had disappeared, until it was restored by Augustus. From among the senate he chose by lot a sort of state-council, or committee, which had to deliberate upon all subjects which were to be brought before the senate. Debates upon such subjects hardly ever took place; whatever was proposed appears to have been passed forthwith, the speeches being only phrases and compliments.

Augustus received the extraordinary powers with which he was thus invested, at first for ten, then for five, and then again for five, and lastly three times for ten years. At the beginning of the third decennium he died. He reserved for the senate, *pro forma*, a privilege which subsequently became its chief function. The senate had formerly been the supreme court of justice in crimes against the state; and this odious part of its functions Augustus left to it, being afraid of taking it upon himself. The senate had now nothing to do with taxation; Augustus alone had it in his power to diminish or increase the taxes throughout the empire. Italy itself was exempt from the land tax, like the baronial estates in many modern countries; but it had to pay various indirect taxes, and many others, as, for example, those on bequests and manumissions. Just as the hereditary stadtholder in Holland, who was captain-general and admiral-general, and often acted contrary to the intentions of the states-general, so Augustus was the commander of all the armies: he had 43,

tion of the regulation made by Augustus. Under the emperors all the courts had vacations in the autumn, a thing unknown in the time of the republic. The Roman Carnival too is an ancient institution, though it has no connection with the Bacchanalia, as some have supposed.—N.

<sup>8</sup> Dion Cassius, liii. 1.

or, according to a more correct calculation, 47 legions,<sup>9</sup> besides innumerable auxilia of the Roman armies, which, together with the legions, amounted to about 450,000 men. Over these forces the senate had not the least control, not even over the levying of the troops. The division of the provinces was made in such a manner that those in which no regular armies were kept, and therefore did not belong to the military state (Italy, as the country of the sovereign people, was, of course, excepted from all these regulations), were assigned to the senate; whereas those in which armies were stationed belonged to Augustus. The senate thus obtained Asia, Africa (so far as it did not belong to Juba), Gallia Narbonensis, Hispania Baetica, Achaia, Macedonia, Bithynia, Cyprus, Cyrene, and Crete;<sup>10</sup> while Augustus reserved for himself by far the larger and wealthier portion of the empire, all Spain, with the exception of Baetica, Gallia Lugdunensis and Aquitania, Raetia, Vindelicia, Dalmatia, Pannonia (Thrace was governed by a king), Moesia, Pontus (Cappadocia also was governed by a king), Cilicia, Syria, and Egypt. His provinces yielded an incomparably larger revenue than those of the senate, but it may nevertheless have been insufficient to maintain the armies which were stationed in fortified camps in those provinces. Two of the senatorial provinces were proconsular, the others proprætorian provinces. At first, no one could draw lots for such a province till five years after he had held the consulship or prætorship, which qualified him for undertaking the administration of such a province; but this was subsequently altered. Augustus made many salutary regulations to control the arbitrary proceedings of the governors of provinces, at least so far as his own provinces were concerned, and probably also in those of the senate. Among other wise regulations, he introduced the custom of giving a fixed salary to the

governors of provinces.<sup>11</sup> The governors of the emperor's provinces, who were taken indiscriminately from among the senators, consulars, prætorians, or equites, bore the title of *legati Augusti*; according to inscriptions and coins their official title was *legati pro prætore*, or *pro consule*, &c. The governors of the senatorial provinces held their office according to the ancient custom only for one year; but the *legati Augusti* held theirs for an indefinite period, of four, five, or even ten years; their posts were also more lucrative. These regulations were very beneficial to the provinces, although those governed by a vicegerent of the emperor were, on the whole, much better off than the senatorial provinces. But, although things went on improving, accusations of malversation in the senatorial provinces occur as late as the second century, probably in consequence of their governors not being so well paid as the *legati Augusti*. In reality, however, this arrangement about the provinces was only a farce, for which the subjects had to pay dearly.

Augustus also established a twofold aerarium, one for the senate, the other for the emperor; but whether the emperor had any control over that of the senate is not clear. This is one of the many questions which are yet obscure.

Among his precautionary measures, I may mention the *lex Aelia Sentia* which put a stop to the disgraceful system of manumission, whereby the lowest slaves were incorporated with the citizens.<sup>12</sup> The Roman citizens were then widely diffused over various parts of the empire; the franchise was no longer confined to Italy, for the inhabitants of Gallia Narbonensis, for instance, of many towns in Spain, and of other countries, were in possession of it; such provincial citizens, however, could not become members of the senate, though there were exceptions, for some had been admitted into the senate even under Caesar, and still more under Augustus, especially from

<sup>9</sup> Appian, *De Bell. Civil.* v. 127. Compare Sueton. *August.* 47; Dion. Cass. liii. 12; lv. 23, foll.; Strabo, xvii. p. 840.

<sup>10</sup> See a more detailed account in Strabo, xvii. in fin., and Dion Cass. liii. 12.

<sup>11</sup> Dion Cassius, lii. 23, foll., liii. 15; Tacitus, *Agric.* 42.

<sup>12</sup> Sueton. *August.* 40; Dion Cassius, lv. 13; Gaius, i. 38, foll.



Provence, where Latin was spoken at an early time, and which was hence called *altera Italia*.<sup>13</sup> When therefore we find that the number of Roman citizens in the reign of Augustus amounted only to somewhat more than four millions, and remember that, independently of Italy, a great many Roman citizens lived in Sicily, Gaul, Spain, and Africa, and that that number included not merely the heads of families, but every free man from the age of seventeen upwards, the number must strike us as fearfully small, and one is startled at the reduced state of the population, which must have been the consequence of the civil wars.

The regulations respecting the police deserve praise. Up to this time, Rome had had no police except the very inefficient one of the plebeian aediles. The condition of Rome was dreadful; for ever since the time of Sulla and his proscriptions, no man's life was safe in the city, for there was in reality no police at all; we need only read Cicero's speeches for Cluentius, Milo, Sextius and Roscius of Ameria, to form a notion of the insecurity of life in those times. We read in Suetonius that the *grassatores*, the banditti of Rome, shewed themselves in the public streets with their knives, and that no one ventured to check them.<sup>14</sup> Augustus remedied the evil by suitable police regulations, and extirpated those banditti with resolution and firmness. The city of Rome and the whole Roman state are remarkable examples of what is the result, when old institutions are handed down to posterity without being modified according to circumstances. Goethe makes Mephistopheles say that then

“Reason is changed to nonsense, good to evil.”

And, indeed, the best things if they contain no vital principle, become absurdities, and are mere harbours for venomous vermin.

The division of the city into four regions still lasted as it had been made by Servius Tullius. The Aventine was a separate town, and several suburbs had sprung up on the banks and on the other side of the river. The four regions had, from ancient times, been subdivided into *vici*, and this division may have been extended to the suburbs likewise. In such an ill-arranged state of things, the police of the aediles could not be of much avail. Now Augustus, without taking into consideration what was within and what without the pomerium; or what belonged to the ancient city and what to the suburbs, divided the whole of Rome into fourteen regions, each with a separate local magistrate; and each region was subdivided into *vici*, at the head of each of which there was a *magister vici*. This judicious division was followed by happy consequences, for the maintenance of a regular police was now possible; and Rome, which had before been a den of robbers, became a safe place.<sup>15</sup> The Roman magistrates had originally been magistrates of a city; but they had gradually become the magistrates of an immense empire, and the ancient regulations necessarily lost their efficacy, since it became impossible for the magistrates to bestow the necessary care upon the city. The smallest colonies and municipia had their local magistrates; but the Roman senate and magistrates had seldom, or never, an opportunity of occupying themselves with the internal affairs of the city. There were, it is true, *magistratus minores*, but they possessed no authority: no man of eminence would have filled such offices, and they consequently fell into the hands of freedmen. Some years after the battle of Actium, Augustus established the office of *præfectus urbi*, in which the whole of the city administration was concentrated.<sup>16</sup> The office was bestowed at the discretion of the emperor: L. Piso held it for twenty years, and the ex-

<sup>13</sup> Plin. *H. N.* iii. 4, 5. Comp. Dion Cassius, lii. 42; Tacitus, *Annal.* iii. 55, xi. 25.

<sup>14</sup> Sueton. *Caesar*, 72, *August.* 32, 43.

<sup>15</sup> Sueton. *August.* 30; Dion Cassius, lv. 8.

<sup>16</sup> Dion Cassius, lii. 21; Tacitus, *Annal.* vi. 11, foll.

tremely happy choice of the person and the beneficial consequences of the institution, secured to Augustus the gratitude and attachment of the city.<sup>17</sup> He also established what we may call *gens d'armes*, under the name of *vigiles*, or *cohortes urbanae*, which had to assist in cases of fire, riots, and the like. It gave the people no offence that this body of men was kept in barracks within the city, and thus formed a sort of garrison which the emperor had in the city itself.

Augustus also instituted an office called the *praefectura aerarii*, to which he transferred the functions which had formerly been performed by the quaestors. It is probable that this praefectura was not confined to the emperor's own aerarium, though I cannot express myself at all decisively upon the point; but we know, at least, that he appointed treasurers for his own aerarium, and that in it the other aerarium was subsequently merged. Under a specious pretext, he appointed *equites Romani* to this office, and not senators; for the latter, venal as they were, had immense pride.<sup>18</sup>

With regard to the courts of justice, he maintained the *lex Julia*, which had again given the *judicia* entirely to the *equites*, but the *decuries*, or jury-lists, were much increased, and he also made a fourth list, or decury, for minor cases, to which persons of smaller fortunes than the *census equester* were admitted.

Italy had, as it were, by chance grown together into one state. In ancient times, it comprised only the south, and did not extend further north than the Tiber; but it had gradually been extended as far as the river Rubicon, which formed the boundary between it and Cisalpine Gaul, so that Etruria and Umbria were included in it. Augustus now gave Italy its natural extent, from the straits of Sicily to the foot of the Alps, and divided the whole of that country

into a number of regions.<sup>19</sup> What was the meaning of these regions, and whether each of them had a praefect at its head, I cannot say. I have never been able to find anything to throw light upon the question, but I am inclined to believe that the division had reference only to the forty quaestors;<sup>20</sup> for I cannot conceive a division of that kind without a corresponding number of officers. I cannot find, in the reign of Augustus, or of his immediate successors, a trace of anything like the four consulars appointed by Hadrian in Italy,<sup>21</sup> or like the *correctores* in the reign of Severus;<sup>22</sup> but I will not therefore deny that Augustus introduced something similar in his division. As far as I am aware, however, no traces of it occur either in books or in inscriptions relating to his reign, though they are numerous in later times.

Augustus had an enormous private property; he possessed entire principalities, and we may form some notion of his wealth when we read in Josephus<sup>23</sup> the will of Herod, who left all his property to Augustus and his family. Dependent kings and tetrarchs often bequeathed to the emperors all that they possessed. The rest was the produce of his wars, and of the tributes derived from his provinces. His vicegerents who received these tributes were called *procuratores Caesaris*, and were usually taken from among the Roman equites, but never from the senators; freedmen of the emperors also sometimes obtained such an office, though perhaps this did not occur under Augustus. The emperors had such unlimited power in these provinces, that Augustus, for example, changed the whole registration of property in Gaul on his own responsibility, and without consulting any one,

<sup>19</sup> Pliny, *Hist. Nat.* iii. 6.

<sup>20</sup> The number of praetors was reduced by Augustus to ten.—N. (Vell. Pat. ii. 89; Dion Cassius, liii. 32.)

<sup>21</sup> Spartian, *Hadrian*, 21.

<sup>22</sup> Treb. Pollio, *Trig. Tyranni*, 24; Vopiscus, *Aurelian*, 39; Eutrop. ix. 13; Aurel. Victor, *de Caesar*, 35.

<sup>23</sup> *Antiquit. Jud.* xvii. 6; § 1.

<sup>17</sup> Vell. Pat. ii. 98; Sueton. *Tiber.* 42; Tacitus, *Annal.* vi. 10.

<sup>18</sup> Sueton. *August.* 36; Dion Cassius, liii. 2, 32, 48; Tacitus, *Annal.* xiii. 29.

even for the sake of appearances. The soldiers too were wholly in his power, for they took their oath of allegiance to the emperor: they did the same, it is true, to the *imperium populi Romani*, but they were bound to and dependent on the emperor, as they had formerly been to the consuls, to whom no one was now bound. His fleets were stationed at Misenum and Ravenna.<sup>24</sup> The institution of the praetorian cohorts was nothing new, for *cohortes praetoriae* had existed from the earliest times, and were analogous to the *guides des généraux* whom we meet with in the history of the French Revolution. They occur in the Punic wars, and during the civil wars we find them on both sides. They had arisen out of the former *evocati*. Augustus had brought them back with him to Italy, and had founded twenty-eight military colonies, as a protection against any popular outbreak; in order to keep these veterans also in check, he formed the *cohortes praetoriae*, which in Italy gradually came to represent the armed Roman people of former times; for they were raised principally in those districts of Latium which had formed the nucleus of the Marian party. These cohorts were at first kept scattered over various parts of Italy, but they were gradually drawn nearer to Rome and there established the well-known *castra praetoria*. Their number was increased in the course of time, but under Augustus there may have been about 8,000.

Formerly the provincials were called upon to take up arms only when their

country was in immediate danger; but henceforth cohorts were formed from among the subjects of all the imperial provinces, many of whom had the lesser franchise, and under the name of *auxilia*, may have amounted to half of the Roman armies. *Socii* are no longer mentioned. The formation of the legions at that time, as well as the places in which they were levied, are subjects buried in utter obscurity. The legions had to serve for the definite period of sixteen years, and after that they were still kept for a time under the *vexilla*, to be ready as a reserve in case of need; but on the expiration of this additional period they were disbanded, and were to receive assignments of land. This system of assigning lands to the veterans was the work of Augustus, who also increased the pay of the soldiers. In the time of Caesar the ancient pay of 120 denarii, or 1,200 ases per annum, independently of the *donativa*, still existed. But Caesar doubled, and Augustus trebled it, so that a Roman soldier now received an annual pay of 360 denarii, or about £9 of our money.<sup>25</sup> As the prices of all things had risen immensely in the time of Augustus, this pay was not very large for men who disposed of imperial crowns; but the great number of soldiers made it nevertheless a heavy burden to the state, which was scarcely able to bear it. Complaints about it occur in the time of Augustus, and are repeated by Tiberius, who was a ruler of great talent.

<sup>24</sup> Sueton. *August.* 49.

<sup>25</sup> Sueton. *Caes.* 26; Tacitus, *Annal.* i. 17, 26; Dion Cassius, lvi. 4.

## LECTURE CXVIII.

ROMAN literature attained its perfection in and through Cicero, in the same manner as that of Germany attained its perfection in Lessing. The period about the year 680 of the city, when Cicero was between thirty and

forty years old, may be regarded as the time at which Roman literature reached its greatest height; the language itself too made a decided advance. Though the preceding period abounds in beautiful works, yet its

productions are still imperfect ; which is the case even with the works of Cicero himself. The language had before been vague and unsettled, and vulgarities were mixed up with things that were otherwise noble and beautiful ; but this now ceased, the language assumed a definite character, and whatever was low or vulgar was rejected. The Latin of Cicero, that is, the language spoken in his time by men of education, is with the greatest justice recognised as the most perfect. If we possessed more works of the class to which Corn. Nepos' excellent life of Atticus belongs, we should find the language of Cicero in all of them. Latin prose had before been exceedingly weak, and sometimes diffuse and dry, but Cicero brought it to perfection. The influence of a great man often works unseen ; and I have little doubt that Caesar's literary perfection may be traced to the influence of Cicero.

The age of Cicero was one which abounded in authors and men of talent and genius : among them there were many of whom little is now known, but who were nevertheless men of eminence. I do not, however, mean to say that all who then distinguished themselves in literature, really deserved to be reckoned among the classical writers, for some of them, especially those who were older than Cicero, belonged in reality to the preceding period. Such was the case in Germany with Winckelmann, who was somewhat older than Lessing, and who, so far as his style is concerned, belonged to the period previous to Lessing ; that which succeeded had little or no influence upon him, although he lived amidst it. A man of the same kind was M. Terentius Varro : he had an extraordinary and well-deserved reputation for his immense reading, activity, and learning in Roman affairs (he was probably not so well acquainted with Greek literature), but in what we possess of his, he cannot be recognised as a contemporary of Cicero ; there is in fact the same contrast between him and Cicero that there is between Mascov, Mosheim, or Reimar and

Lessing. The same was probably the case] with P. Nigidius Figulus. The real bloom of Roman literature is represented by the men who were the younger contemporaries of Cicero, and whom he saw rise up around him. One of them was the orator M. Caelius Rufus, of whom we can ourselves form an opinion from his letters to Cicero, and whose language is perfectly equal to that of Cicero.<sup>1</sup> Curio's letters do not make the same impression upon me, but they are not of sufficient importance to enable us to form a decided opinion, and I attribute more weight to the judgment of Cicero, who entertained a high opinion of his talents. A contemporary of Caelius Rufus and Curio was C. Licinius Calvus, an orator and poet, who was likewise highly esteemed by Cicero. Quintilian does not judge of him as favourably as he deserves, but Tacitus thinks that he was a classical writer both as an orator and as a poet ;<sup>2</sup> he died at an early age. Sallust was considerably younger than Cicero, and of about the same age as Caelius Rufus, Curio, and Licinius Calvus ; he survived Cicero, though he did not live to a very advanced age. He went his own way in literature, and was so much absorbed in the past, that the language and style of his contemporaries had little or no influence upon his own. He did not practise eloquence, but only wrote, and we cannot therefore wonder at

<sup>1</sup> See Niebuhr, *Kleine histor. und Philol. Schriften*, vol. ii. p. 252, foll.

<sup>2</sup> There seems to be some confusion here. The passage of Quintilian (x. ii. 115) runs thus : " Inveni qui Calvum praeferrent omnibus, inveni qui Ciceroni crederent, eum nimia contra se calumnia verum sanguinem perdidisse : sed est et sancta et gravis oratio et custodita et frequenter vehemens quoque." Tacit. *Dial. de Orat.* 18, says. " Sunt enim (antiqui) horridi et impoliti et rudes et informes et quos utinam nulla parte imitatus esset Calvus vester, aut Caelius, aut ipse Cicero ! " and " Legistis utique et Calvi et Bruti ad Ciceronem missas epistolas, ex quibus facile est deprehendere, Calvum quidem Ciceroni visum exsanguem et attritum — rursumque Ciceronem a Calvo quidem male audivisse tanquam solum et enervem." In the extant writings of Cicero there are too long passages, *Brut.* 82, *Epist. ad Fam.* xv. 21, where Calvus is mildly judged of, but not absolutely praised.



the peculiar form of his works. As an historian he possesses all the qualities that can be looked for, and Rome might be proud even if it had no other historian than Sallust. The fact that Priscian ascribes archaisms to some of these men, does not detract from their merit.<sup>3</sup>

This period was properly the age of poetry: Lucretius, C. Licinius Calvus, and Catullus were contemporaries, though they were not all of the same age; they are the three greatest poets of that period. It is only now, after the cessation of the prejudice against didactic poetry, which attempted to exclude Lucretius from the list of poets, that his great talent and genius are recognised. Had he not unfortunately given himself up to the miserable system of philosophy which derives its name from Epicurus, he would have produced still greater things. The greatest poet that Rome ever had is Catullus, if we except perhaps some few of the earlier ones. He does not anxiously seek for forms or words; poetry with him is the same natural expression, the same natural language, as our common mode of expressing our thoughts is with us. He has the same perfections and excellencies as the lyric poets of Greece previously to the time of Sophocles, and he is their equal in every respect: he was a gigantic and extraordinary genius. It shews the greatest prejudice to say that he is not equal to the Greeks of the classic age. The other poets of his time, though unquestionably inferior to him, are still very important phenomena in Roman literature; and if we had the poems of C. Helvius Cinna; if we had any other poems of Valerius Cato besides those extant (his *Dirae* are after all very doubtful); if we had Valgius, and Ticius,<sup>4</sup> we should read them all with great pleasure, which is saying more than can be said of any other period in the history of literature.

The poetry of this period is composed with a strict observance of the Greek metres; the hexameter of the greater poems is perfectly Greek, and the caesurae are carefully attended to and correct; the smaller lyric poems are written in Greek metres, and the form is almost completely Greek. But in some minor points, such as the construction of the pentameter, the poets of this age still had their peculiarities, which they were loth to give up, and which are foreign to the Greeks. Furius Bibaculus was very charming; Varro Atacinus, the translator of Apollonius Rhodius, was by no means contemptible. Comedy had become quite extinct, and no works even of mediocrity are mentioned.

This flourishing period of Roman poetry ceases about the time of Caesar's and Cicero's death, and another generation now sprang up. The number of eloquent men henceforth is small. Among those who survived the blooming period I will mention Asinius Pollio, who was about thirty-three or thirty-four years old at the death of Caesar, so that his talents were perfectly developed at the time, but the period in which he distinguished himself as a writer and an orator falls somewhat later, that is, subsequently to the war of Brundisium, after which he entirely withdrew from public life. We may form an opinion upon him from the fragments preserved in Seneca, the father. His writings were very unequal; some parts are extremely good, especially when he wrote under the influence of passion, as for example against Cicero, towards whom he was unjust, and against the Pompeian party. He was wanting in benevolence, and was a man of a harsh and embittered nature. Munatius Plancus also was a talented orator, and A. Hirtius, who properly speaking belongs to the preceding period, was, as I have already remarked, a particularly elegant writer, although he spent his life in warlike pursuits. In the history of literature there are men such as Asinius Pollio, who stand between two distinct generations, and form a sort of mediators between them (one

<sup>3</sup> Is not perhaps Seneca meant here? See Gellius, xii. 2.

<sup>4</sup> Weichert, *Poet. Lat. Rel.* p. 361, not. 20.

might call them *proventus*<sup>5</sup> or *φορὰ*); thus Klopstock, Kant and Winckelmann gave the character to their period in some respects, and Kästner, Gellert, Cramer and others, who are now almost forgotten in other respects; then followed the period of Goethe, to which belonged Voss, and Frederic Leopold Stolberg,—and between these periods stands Lessing, who exerted no influence upon those who were older than himself, but paved the way for a new generation, and gave it its character. I do not, of course, mean to place Asinius Pollio by the side of Lessing, but he stands in a similar manner between the periods of Cicero and Virgil; for we may well call Virgil the representative of his age.

In the period which followed that of Cicero, or the so-called Augustan age, prose writing became very insignificant. With the exception of Livy and Valerius Messala, in fact, it vanishes entirely. The cause of this phenomenon is well explained in the excellent dialogue “*De Oratoribus*,” which critics have at length come to regard as a genuine work of Tacitus. Public eloquence necessarily ceased, and prose was cultivated and developed throughout antiquity by public speaking and oratory. As soon as oratory ceased, therefore, prose became poor. There was at that time no opportunity for free speaking. The Rostra and the Curia had become silent, and the orations that were now delivered were mere *λόγοι ἐπιδεικτικοί*, miserable signs of the times. The only subject for prose was history, which was written by Asinius Pollio and Livy. Messala, who was much younger than Asinius Pollio, and a contemporary of Horace, was the only man who distinguished himself as an orator; but I believe his personal excellence was greater than his talents.

The brilliant period of the two great poets of that time, Virgil and Horace, and of many of their contemporaries, falls after the death of Caesar, and in the early part of Augustus' career. Horace's poetry is still lyric,

but it gradually loses this character. It is much more carefully copied from the Greeks and in the time of Caesar; so that the licenses and differences from the Greek form, which we find in the productions of the preceding period, vanish altogether. The Greek forms were now adopted as law. Roman poetry became only an imitation, and in a great measure a translation of the Greek into Latin; with the exception of a few cases, it avoided all ornament derived from archaic forms; all that was written was in perfect analogy and harmony with the language spoken by the educated and refined classes. Virgil, it is true, occasionally uses an ancient form, such as *olli*, *aulai*, but this occurs only in his *Aeneid*, and is admitted in conformity with a grammatical rule respecting epic poetry, similar to that which had been laid down by the Alexandrian grammarians for the epic language of the Greeks.

Virgil was born on the 15th of October, 682, and died on the 22nd September, 733. I have often expressed my opinion respecting Virgil, and have declared that I am as opposed to the adoration with which the later Romans venerated him, as any fair judge can demand. He did not possess the fertility of genius nor the inventive powers which are required for his task. His *Eclogues* are anything but a successful imitation of the idyls of Theocritus; they could not, in fact, be otherwise than unsuccessful: their object is to create something which could not prosper in a Roman soil. The shepherds of Theocritus are characters of ancient Sicilian poetry; I do not believe that they were taken from Greek poems. *Daphnis*, for example, is a Sicilian not a Greek hero. The idyls of Theocritus grew out of popular songs, and hence his poems have a genuineness, truth, and nationality. Now Virgil, in transplanting that kind of poetry to the plains of Lombardy, peoples that country with Greek shepherds, with their Greek names and Greek peculiarities,—in short, with beings that never could exist there. His didactic poem on Agri-

<sup>5</sup> Plin. *Epist.* i. 12.

culture is more successful ; it maintains a happy medium, and we cannot well speak of it otherwise than in terms of praise. His *Aeneid*, on the other hand, is a complete failure : it is an unhappy idea from beginning to end ; but this must not prevent us from acknowledging that it contains many exquisite passages. Virgil displays in it a learning of which an historian can scarcely avail himself enough ; and the historian who studies the *Aeneid* thoroughly, will ever find new things to admire. But no epic poem can be successful, if it is anything else than a living and simple narrative of a portion of some series of events which, as a whole, is known and interesting to the mass of a nation. I cannot understand how it is that, in manuals of Aesthetics, the views propounded on epic poetry, and the subjects fit for it, are still full of lamentable absurdities. It is really a ludicrous opinion, which a living historian has set forth somewhere, that an epic poem must be a failure if the subject is not old enough—as if it were necessary for it to lay by for some centuries to go through a kind of fermentation ! The question is similar to that as to what subjects are fit for historical painting. Everything is fit for it, which is known and capable of suggesting to the beholder the whole, of which it is only a part. This is the reason why Sacred History is so peculiarly fit for historical painting. Every one who sees, for example, a madonna or an apostle, immediately recollects all the particular circumstances connected with those personages ; and this effect upon the beholder is still stronger, if he has lived some time surrounded by works of art. When Pietro of Albano or Domenichino paint mythological subjects, we scholars indeed know very well what the artist meant to express, and are vexed at his little inaccuracies ; but the majority of people do not understand the meaning of the painting, they cannot connect a definite idea with it, and the subject contains nothing that is suggestive to them. Mythological subjects, therefore, are at present a hazardous choice for an

artist ; and however excellently they may be treated, they cannot compete with those taken from Sacred History. Mythological subjects were as much the common property of the ancients, as the Sacred History is the common property of Christian nations. A subject from modern history, if generally known, much talked of, and suitable in respect to the external forms connected with it, would be just as fit for artistic representation as any other. But our costumes are unfavourable to art. The ancients, however, very seldom represented historical subjects in works of art, although their costumes were not against it. The case of epic poetry is of the same kind. If a narrative which everybody knows, sings, or relates, is not treated as history in its details, and if we feel ourselves justified in choosing for our purpose some portion of the whole, then any of its parts is a fit subject for epic poetry. Cyclic poetry relates whole histories continuously, and is of the same extent as history ; but epic poetry takes up only one portion of a whole, which the poet relates just as if he had seen it. There cannot be a more unfortunate epic than Lucan's *Pharsalia* : it proceeds in the manner of annals, and the author wants to set forth prominently only certain events. There are passages in it like the recitative of an opera, and written in a language which is neither prose nor poetry. Virgil had not considered all the difficulties of his task, when he undertook it. He took a Latin history, and mixed it up with Greek traditions. If he had made use of the Roman national traditions, he would have produced a poem which would have had at least an Italian nationality about it. The ancient Italian traditions, it is true, had already fallen into oblivion, and Homer was at that time better known than Naevius ; but still the only way to produce a living epic would have been to base it upon the national Italian traditions. Virgil is a remarkable instance of a man mistaking his vocation : his real calling was lyric poetry ; his small lyric poems, for instance that on the villa

of Syron,<sup>6</sup> and the one commencing "Si mihi susceptum fuerit decurrere munus,"<sup>7</sup> shew that he would have been a poet like Catullus, if he had not been led away by his desire to write a great Graeco-Latin poem. It is sad to think that his mistake, that is, the work which is his most complete failure, has been so much admired by posterity; and it is remarkable that Catullus' superiority to Virgil was not acknowledged till the end of the eighteenth century. The cause of Virgil being so much liked in the middle ages was that people did not or could not compare him with Homer, and that they fixed their attention upon the many particular beauties of the Aeneid. Jeremy Markland was the first who ventured openly to speak against Virgil; but he was decried for it, as if he had committed an act of high treason. It was surely no affectation in Virgil when he desired to

have the Aeneid burnt; he had made that poem the task of his life, and in his last moments he had the feeling that he had failed in it. I rejoice that his wish was not carried into effect; but we must learn to keep our judgment free and independent in all things, and yet to honour and love that which is really great and noble in man. We must not assign to Virgil a higher place than he deserves, but what the ancients say of his personal character is certainly good and true. It may be that the tomb of Virgil on Mount Posilipo near Naples, which was regarded throughout the middle ages as genuine, is not the ancient original one, though I do not see why it should not have been preserved. It is adorned with a laurel tree, which has no doubt been often renewed. I have visited the spot with the feelings of a pilgrim; and the branch I plucked from the laurel tree is as dear to me as a sacred relic, although it never occurs to me to place Virgil among the Roman poets of the first order.

<sup>6</sup> H. Meyer, *Antholog. Veter. Latin. Epigrammat. et Poetarum*. No. 93, p. 23.  
Compare Niebuhr, vol. i. p. 198.

<sup>7</sup> H. Meyer, *l. c.* No. 85, p. 21.

## LECTURE CXIX.

HORACE was born on the 8th of December, 687, and died on the 27th of November, 744, in his fifty-seventh year. Venusia, his birth-place, was a Latin colony, established in the interval between the third Samnite war and that against Pyrrhus;<sup>1</sup> it remained faithful to Rome down to the time of the Social War, when it is mentioned among the revolted places.<sup>2</sup> Hence we may infer that it had lost its Latin character, and had become rather assimilated to the nations of those districts, that is, it had become Lucanian and Oscan. Horace relates, by the way, that in his youth he went to

school with the sons of the centurions,<sup>3</sup> which is a hint suggesting that Venusia was at that time a military colony, probably one of those which had been established by Sulla, in consequence of its revolt in the Social War. Our knowledge of the place is very scanty, but from what Horace says of Ofellus, who farmed his former property from a soldier, we see that when Horace wrote the second book of his *Sermones*, a new military colony must have been established there.<sup>4</sup> Horace's father was a *libertinus*; his surname Flaccus, however, if the father too bore it, would shew that he was not a foreigner, but of Italian extraction;

<sup>1</sup> Compare vol. iii. p. 401, foll.

<sup>2</sup> (Appian, *De Bell. Civil.* i. 39, 42.) Appian's account of it is worthy of attention, being derived from very good sources.—N.

<sup>3</sup> *Satir.* i. 6, 73.

<sup>4</sup> Compare Appian, *De Bell. Civil.* iv. 3.



and it is possible that the father's servitude may have consisted in nothing more than in his having been made a prisoner in the Social War, and in having been sold as a slave. In other cases, the sons of freedmen have different names. Horace's father gave his son a very liberal education. When Brutus arrived in Greece, Horace, then twenty-two years old, was at Athens, whither his father, though his means were limited, had sent him to be educated. Here he entered the army of Brutus with many other young Romans, and the extraordinary honour conferred upon him by Brutus, of making him a tribune, although he was the son of a freedman, excited the envy of others, as he himself intimates, but shews that Horace must have been a distinguished young man. There were at that time only six tribunes in each legion. After the battle of Philippi he, like many others, took to flight, perhaps under the protection of Messala, and went to Rome, the capital being always the safest place in times of revolution. He was introduced to Maecenas, who soon conceived an extraordinary attachment for him, and seems to have bestowed even greater favours upon him than upon Virgil. This benevolence of Maecenas was received by the poet with great gratitude. Maecenas made him a present of a small estate in the Sabine hills, where he lived happy, and with very few wants, especially in his more advanced age. His life by Suetonius is very interesting. Wieland, a man who is too much neglected among us, has, in his commentary on Horace's Epistles, said many beautiful things on the personal character of the poet; he has shewn how little Horace was a flatterer of Augustus, which cannot, unfortunately, be denied in the case of Virgil. He draws particular attention to the independence which Horace maintained towards Maecenas, and to the fact of his keeping aloof from the golden chains, and avoiding to bend under the yoke of the monarch, difficult as it was to do so, without appearing ungrateful. Augustus was much displeased at Horace not dedi-

cating to him the first book of his *Sermones*; he could not conceal from himself the fact that Horace was one of those who, notwithstanding all the amends he had made, yet did not forget his earlier actions, and judged of him accordingly. Wieland further calls in the testimony of a letter of Augustus in Suetonius, in which the emperor complains of Horace's indifference, and says: "*An vereris ne apud posteros infame tibi sit quod videaris familiaris nobis esse?*" the poet declined to become the emperor's secretary. These facts speak clearly enough.

The Odes of Horace are not printed in our editions in their chronological order: some of them belong to a very early period, and perhaps to the time when he was staying at Athens; but of a great many of them it is impossible to determine the exact time at which they were written, though it may be confidently asserted, that most of them belong to the period preceding the war of Actium. The first three books, however, were not published till after that war. Among the *Sermones* there are some of a very early date, and the earliest of all is perhaps that on the entertainment of Nasidienus,<sup>5</sup> whom I believe, with the Scholiast and Lambinus, to be Salvidienus Rufus; it is not probable that Horace should have ridiculed the man, who had become unfortunate after his death, and this *Sermo* accordingly belongs, in all probability, to the first years after the battle of Philippi, about 710. The fourth book of the Odes and the second of the Epistles were written in the latter years of Horace's life.

With regard to Horace as a poet,

<sup>5</sup> The ancient poets, as the scholiasts justly observe, in speaking of a person whose name they do not wish to mention, substitute another name of precisely the same prosody as the real one, so that the latter may be inserted without disturbing the metre. Thus we have Malthinus for Maecenas. Some one, I believe, has written on such disguised names in Horace.—N. (Niebuhr seems to allude here to Buttmann's essay, "*Ueber das Geschichtliche und die Anspielungen im Horaz*," in the "*Mythologus*," i. p. 297—346.)

he was formerly admired to extravagance; but for about thirty years, that is, from about the commencement of the present century, when Roman literature began to be neglected, Horace has not had justice done to him. His imitations of the lyric poems of the Greeks are of exquisite beauty, and have much that is original. Sometimes, however, he is not quite successful; it is evident that occasionally he was seeking for a particular expression, but was satisfied with another which is neither the most precise nor the most appropriate. This carelessness on the part of Horace has given rise to many of Bentley's emendations. Horace is, on the whole, a very amiable character, and there are only two things in him which are disagreeable to my feelings. First, his disregard for the earlier poetry of his country, which he treats with contempt, as something old-fashioned. He was right in opposing the excessive enthusiasm for everything ancient, which endeavoured to crush all that was new; but his low estimation of the early Roman poets is unjust, and deserves censure. It is almost inconceivable how it was possible for him to mistake the great merits of Plautus, for example. There is much in Plautus that was offensive to him, because it was foreign to his age; many an expression also, which now appears to us noble, may in his time have become a vulgarity, and may therefore have displeased him. But what more than anything else produced this feeling in him, seems to have been vexation at those who ridiculously paraded their partiality for what was old-fashioned, and affected the most intense admiration of it, just as among us there exists an extravagant admiration of the middle ages. No one is more decidedly opposed than myself to an undue admiration of middle-age customs, and of the poetical productions of that time, whether they be the songs of the troubadours or the lay of the Nibelungen itself; but this is a very different thing from being unjust towards them. The second point which I have to censure in the poems of Horace,—though I am willing to ex-

cuse it, if I consider the circumstances of the time,—is the irony of the Epicurean philosophy with which he looks upon everything, as though in reality it were only a folly: he treats all subjects, even those which are most venerable, lightly, and tries to smile at everything. This tendency is a bad habit with him, and is painful to us. I think, however, that he would have been a different man, if he had lived in a happier age. He always appears kind and cordial, but somewhat constrained,<sup>6</sup> whereas Catullus, in his wild and fanciful strains, and his loud laughter, as well as in his tears, speaks to our hearts. Horace, whose real sympathies were with Brutus, was resolved not to let his heart bleed, and consoled himself by looking at things in a manner which is painful to me. The late Count Frederic Leopold Stolberg says most truly, "when a real good is lost, it is often worth a great deal to retain the feeling of the loss." In such a case, no one should wish to divert his mind, or try to forget his grief: the grief must be left alone, though not fostered artificially, for this is an evil; but when the heart is bleeding, one must let it bleed. The consequences of an opposite conduct are incalculably hurtful. To many a man it has become the cause of the lowest degradation, that he *would* not carry about his grief with him. Horace, however, always remained a noble and highly amiable man notwithstanding; his fault was only that he formed a false conception of an unhappy period. He lived to nearly the age of fifty-seven.

Tibullus was a contemporary of Horace; but, while the latter was of very low origin, Tibullus was a Roman equestris, although his property, I believe, had suffered much in the storms of the time. The year of his birth is unknown; and it is only from an epigram ascribed to Domitius Marsus, that we know him to have died

<sup>6</sup> Something analogous to the disposition of Horace is found in Menander, and the later Attic comedy in general.—N.

soon after Virgil,<sup>7</sup> though I do not know whether that epigram can be considered as genuine. The first two books of the poems that have come down to us under the name of Tibullus, are unquestionably genuine; but the third is certainly spurious. Lygdamus, the name given to himself by the author, at the end of the second elegy of this book, is not his real name, and I believe that we have here a case similar to the disguised names in Horace.<sup>8</sup> It is only from a spirit of party that scholars will not admit the soundness of the observation of Voss, who justly remarks that the character of the poems of the third is totally different from that of the preceding books; and those who will not admit their spuriousness, do not, in my opinion, possess either a competent knowledge of grammar or of metre. The fifth elegy of the third book contains a distich<sup>9</sup> which describes the birth-year of the writer as that in which Hirtius and Pansa were consuls, 709; and as this is irreconcilable with the chronology of Tibullus, the lines have generally been rejected as an interpolation. But this is an altogether arbitrary proceeding, founded on the assumption which these very lines are opposed to, viz.—that Tibullus was the author of the third book: if we admit the correctness of the view on this point above stated, there will be no occasion to reject those lines. The fourth book also cannot belong to Tibullus. The panegyric upon Messala, with which it opens, is evidently written by a poor person, who required protection, and not by a Roman eques. Both the third and fourth books are the

works of poets inferior to Tibullus. With regard to the smaller poems of the fourth book, such as those under the name of Sulpicia and Cerinthus, their language and versification differ greatly from those of Tibullus, and display greater energy and boldness than Tibullus possessed: they are the productions of a poet who was much superior to him. To me Tibullus is a disagreeable poet: doleful and weeping melancholy and sentimentality, such as we find them in Tibullus, are always unantique; they are the misunderstood tones of Mimnermus. I cannot bear them, and least of all in a Roman.

Cornelius Gallus was perhaps somewhat older than Horace, and a man of rank. He was also engaged in military life, and was appointed by Augustus governor of Egypt, in which capacity he abused his power in an unworthy manner. Virgil was very much attached to him, which shews that there must have been something amiable in his character. In the fourth book of the Georgics, Virgil introduced a eulogy on him, for which he afterwards substituted the episode about Aristaeus. Gallus was condemned for very bad actions, and afterwards made away with himself. He translated Euphron, and wrote elegies of which only a single verse is extant. He must have been a poet of eminent talent; but all that has come down to us under his name is spurious, with the exception of a few fragments. The epithet *durior* which is given to him is commonly not well understood; I take it to mean that his language and versification had something of the earlier Roman poetry about them, which Quintilian might well call harsh.

A contemporary of these men was L. Varius, of whom only a very few verses are extant, but whom the ancients place along with Horace and Virgil among the greatest poets, especially on account of his tragedy Thyestes. This subject however was an unfortunate one for a tragedy. I fear that his manner was too declamatory, and that his Thyestes bore

<sup>7</sup> H. Meyer, *Antholog. Veter. Lat. Epigr. et Poetar.* No. 122, p. 44.

Te quoque Virgilio comitem non aequa,  
Tibulle,

Mors juvenem campos misit in Elysios,  
Ne foret, aut elegis molles qui fletet amores,  
Aut caneret forti regia bella pede.

<sup>8</sup> Such is also the case with names of females: as e. g. the Cynthia of Propertius, and the Delia of Tibullus, whose real names are said to have been Hostia and Plania, respectively.—N.

<sup>9</sup> Verse 17, foll.

the same relation to the ancient Attic tragedies that Virgil's *Aeneid* bears to the Homeric epics. This and all the later tragedies of the Romans were not, like those of Pacuvius and Attius, imitations of Attic dramas, but were based upon the models of the Alexandrian period; for the tragedies of what was called the Pleias were undoubtedly of very different character from the ancient Attic tragedies; we may form a tolerably correct notion of them by looking at the productions of Seneca, whose pieces are certainly not Roman inventions, but evidently imitations of foreign models, in which the lyric portions are confined to anapaests, and rarely contain simple strophes of four lines. If I had the choice, I would rather have Varius's poem "*De Morte*" than his tragedy.

These and some other men form the illustrious assemblage of the poets of that period, and rarely has so great a number of such poets existed together in the history of the world. They were living at the time when Augustus made himself master of the republic. But now another generation gradually rose up, which constituted what may be properly called the Augustan age. It began with Propertius, whose poems are evidently written according to the models of the Alexandrian period; whereas the earlier lyric poets, with the exception perhaps of Virgil, who, in parts, followed the poets of Alexandria and Pergamus, had taken the ancient Greek lyrics for their models. It is impossible to determine the year in which Propertius was born, though it must have been somewhere about 700. He was a native of Umbria, and his great ambition was to become the Roman Callimachus or Philetas.

After him followed Ovid, who was born in 709, in the consulship of Hirtius and Pansa. Next to Catullus, he is the most poetical among the Roman poets. You must not believe that those poets were isolated phenomena, standing as it were in the air, and beyond the influence of contemporary events. Virgil was evidently intimidated; Horace was in a painful situation, for his heart was with Brutus; Tibullus, a

man with a tender heart, was weighed down by what he saw around him; Propertius, too, had been influenced by the occurrences of his youth and the loss of his property, in consequence of the establishment of military colonies: his real enjoyment of life and his ease never returned afterwards. The full and unrestrained development of Catullus' genius was the result of the freedom which he enjoyed as a wealthy young man; his father must have been one of the most distinguished persons in the province of Cisalpine Gaul, and was connected with Caesar by ties of hospitality. Ovid was born with one of the most happy temperaments that heaven can bestow upon a man. The calamities of the Perusinian war happened when he was an infant only three years old. At the time of the battle of Actium, which restored peace, he was thirteen years old, and he scarcely heard of the misfortunes which belonged to the time of his infancy. You yourselves must know how much influence the recollections of your boyhood have on the development of your temperaments and dispositions; and my own disposition is very different from what it would be if I were now a young man. The absence of all care and anxiety in Ovid, and his cheerfulness, resulted from the circumstances amid which he passed his youthful years. He was born at Sulmo. From his birth his life had been adorned with everything that wealth and rank could procure, and he was endowed with all that can adorn a man's body and soul. No one can have a greater talent or a greater facility for writing poetry than Ovid had: in this respect he may take rank among the greatest poets. An unbiassed judge must recognise in all the productions of Schiller a sort of constraint and labour; while in the early poems of Goethe everything bears the impress of the greatest ease; the lyric poets of the Greeks are never laboured, and this is the kind of poetry in which every one feels at home, and as though the sentiments could not be expressed in any other way. Horace is much inferior to Ovid in this re-



spect; there are only a few among his lyric poems of which we can say that they were composed with ease and facility. Ovid's *facilitas* is manifest everywhere. His personal faults, which are visible also in his poetry, are well known, and do not require to be mentioned here. The cause of his unfortunate exile is a mystery which no human ingenuity will ever clear up, and concerning which an endless variety of absurd opinions are abroad. He was exiled to Tomi, and some persons censure him for his broken-heartedness; but I cannot help, on the contrary, admiring him for the freshness and activity which he preserved in his fearful exile among barbarians.

One of his contemporaries was Cornelius Severus, of whom we have a fragment, which confirms the opinion that he would have been a great epic poet if he had lived longer. He would have been infinitely superior to Lucan.

Pedo Albinovanus must likewise have been distinguished among the poets of that time; but, whether he is the author of the "*Consolatio ad Liviam*" on the death of her son Drusus is not so certain as is generally believed, though it is very possible.

Livy, of whom I have already spoken in the introductory Lectures, was born in the consulship of Caesar, 693, and

lived to see a considerable portion of the reign of Tiberius, attaining the age of seventy-five or seventy-seven.<sup>10</sup> History was then the only thing that was written in prose, for oratory had degenerated into miserable declamations, which contain nothing but detestable and sophistical perversities, and into mere legal pleadings. But of these productions I shall speak hereafter. Livy began writing his history when he was at the age of fifty, or even later; but he was still in full vigour and freshness. The unfavourable judgment of Asinius Pollio respecting him arose unquestionably from political party-feeling, for Pollio was annoyed at everything connected with the Pompeian party. Livy is not mentioned in the poems of Horace, and his fame, which was greater than that of any of his contemporaries, belongs to a later period. He was a rhetorician, and was perhaps at one time engaged in giving instructions in rhetoric; but it is just as probable that he lived in quiet independence. It was only his historical work that brought him into notice. One person even came from Gades for the sole purpose of seeing him.

<sup>10</sup> According to the opinion expressed in the introductory Lectures, he lived to the age of seventy-nine.

## LECTURE CXX.

I FORGOT to mention among the contemporaries of Cicero and Caesar, the poet Decimus Laberius. He was the author of mimes, which were evidently extempore compositions and very original. Laberius and P. Syrus are the most celebrated authors of this species of poetry, and the former was, according to the testimony of his contemporaries, a poet of great original merit. His productions must have resembled the *Sermones* of Horace, but they had little in common with dramatic poetry. P. Syrus too enjoyed a

great reputation. Comedy had become completely extinct. No comedy even of mediocrity is mentioned; and the *Thyestes* of Varius is the only instance of a tragedy at that time. Valgius too belongs to the age of Virgil.

The literary nullity of the Greeks at this period, if we compare the activity of the Romans, was still greater than the political weakness and impotence of Greece in contrast with Rome's power and dominion. We hear of no writers except rhetoricians and grammarians. They are not indeed to be treated with

disrespect, but poetry seems to have become quite extinct, if we except a few insignificant writers of epigrams; but even in epigrammatic poetry there is scarcely any other period in the history of ancient literature that is as barren as this. Dionysius of Halicarnassus, distinguished both for talent and judgment, stands alone, and therefore we cannot wonder at the Romans of that time feeling themselves superior to the Greeks in literature; this feeling was, on the contrary, perhaps not so strong as it ought to have been. The Greek rhetoricians, who inundated Rome during the latter part of the reign of Augustus and under Tiberius, brought down literature very rapidly. There were indeed a few other writers, but we know little more of them than their names; the rhetoricians who gave the tone to literature, and brought about the so-called *argentea aetas*, were Greeks, and nearly all natives of western Asia, for ancient Greece itself was completely annihilated. For many centuries after the time of Polybius, Plutarch is the only native of Greece Proper that stands forth as a writer of importance; but Posidonius of Rhodes and Theophanes of Mitylene also are exceptions.

I shall now continue my account of Augustus, his family, and his wars. The numerous statues and busts of Augustus which are still extant quite confirm the statement of Suetonius, that he was an extremely handsome man.<sup>1</sup> His head is indeed so beautiful that I have often been tempted to get a cast made of it, although I detest his character; and he retained his *decora facies* until old age, as we see from the busts which represent him at the different periods of life. He was an active man and of no mean powers. The ancients state that the great defect in his character was his want of courage, a charge which is easily made, especially when there is some foundation for it, such as Augustus' conduct in the war of Philippi; but there are circumstances in which he showed undoubted courage, as in the war against

Sext. Pompeius. He was a bad general, and was not favoured by fortune either on the field of battle or in his domestic relations. I have already described to you his dishonesty and cruelty: but a redeeming feature in his character is that he was a friend to his friends, and even bore patiently from them things which others would not have brooked. Thus he acted towards Agrippa and Maecenas, to whom he was both grateful and faithful.

In his domestic relations he acted as a man without character or principle. He had been betrothed at first to Clodia, a step-daughter of M. Antony, but the connexion was dissolved, and he married Scribonia, who became by him the mother of the ill-famed Julia. He subsequently divorced her and married Livia Drusilla, the wife of Tiberius Claudius Nero, who was proscribed and attached to the cause of Brutus, and who seems to me to have been one of the better men of the Claudian family. He was obliged by Augustus to give up Livia, a woman of a fearful character: she was so ambitious to raise the members of her own family to power and influence, that she never scrupled to commit any crime, if she thought it a fit means to attain her ends. She contrived very gradually to acquire unlimited power over Augustus. Notwithstanding the strict moral laws of his censorship and his other measures, Augustus himself was a dissolute man; and Livia connived at his conduct, in order to establish her influence over him the more firmly. Her success was most complete, and the older she grew (she was his wife for nearly fifty years) the greater was the power she exercised over her imperial husband. She was exceedingly clever and intelligent, and, in her younger years must have been a woman of extraordinary beauty. She worked perseveringly for a long series of years to secure the ascendancy to the members of her own family, and to isolate Augustus from his own relatives. She never bore Augustus any children, except a son who was still-born. So long as Octavia, the half-sister of Augustus, and the most ho-

<sup>1</sup> August. 79.

nourable among the later ladies of Rome, lived and had any prospects for her son M. Marcellus, who was married to Augustus' daughter Julia, Livia seemed to stand in the back ground; but, as soon as Marcellus died, and Augustus gave Julia in marriage to Agrippa, a man who, even before this, had raised himself so high that, if Augustus had not loved him he would have feared him, things assumed a different appearance. Julia had by Marcellus only a daughter.

Agrippa was considerably older than Augustus; he had accompanied him to Apollonia as a sort of tutor, and Caesar had probably intended to take him, together with his nephew, on his Eastern expedition, as was the custom when young Romans of the age of seventeen entered upon their first campaign, as we see in the case of Lollius and C. Caesar. Previously to the time when he went to Apollonia nothing is mentioned about Agrippa, and he is said to have been descended from a very obscure family,<sup>2</sup> and was probably born in some country place. In the wars of Caesar he is not mentioned. In his later years he displayed all the qualities of an experienced general, and much good may be said of him. The best period of the reign of Augustus was unquestionably that during which he had Agrippa by his side; that is, the first eighteen years, from the battle of Actium till the death of Agrippa,—and no writer charges Agrippa with having had any share in the early cruelties of Augustus. The new regulations of the state after the battle of Actium were made principally by Agrippa, and he rather than Augustus must be regarded as the author of all the wise and useful arrangements made during that period; many of his measures were very cunning, but all were certainly beneficial. All that Agrippa did is characterised by a certain grandeur. There is only one building which originated with him: his Pantheon is still standing, and furnishes an example of the great-

ness of his conceptions: it is the most splendid remnant of ancient Rome. He made roads and canals; built aqueducts and baths; and the whole arrangement of the Campus Martius, with all its beauties, described with delight by Strabo,<sup>3</sup> was the work of Agrippa. Great architectural works were his element. His ability as a military commander had been tried in the war against Sext. Pompeius, in the course of which he built fleets, and formed the Julian port near Baiae. He was conscious of his great powers: he never concealed that he was proud, for he laid claim to the highest honours, and was anything but humble or timid before Augustus, who promoted him thrice to the consulship. Agrippa died, I believe, in 740; Maecenas breathed his last in 744, in which year Horace also died.

The great Cilnius Maecenas shared the friendship of Augustus with Agrippa. He was descended from a noble Etruscan family of Arretium, where his ancestors must have been a sort of dynasts, whence Horace calls them *reges*.<sup>4</sup> They must have had the Roman franchise previously to the passing of the Julian law, for a Cilnius Maecenas is mentioned by Cicero<sup>5</sup> among the *equites splendidissimi* who opposed the tribune, M. Drusus, before the outbreak of the Social War. Horace's expression,<sup>6</sup>

Nec quod avus tibi maternus fuit atque  
paternus,  
Olim qui magnis regionibus imperitarent,

also seems to suggest that the ancestors of Maecenas, on his father's as well as his mother's side, held the highest magistracy at Arretium, at the time when Etruria was yet free. Maecenas himself never would rise above his equestrian rank, but he has nevertheless acquired a reputation as the patron and protector of Horace and Virgil, which will last for ever. We will re-

<sup>2</sup> v. p. 235, foll.

<sup>3</sup> (*Od.* i. 1, 1; iii. 25, 1.) The name of the Cilnii occurs very often on the monuments of Arretium.—N.

<sup>4</sup> *Pro Cluent.* 56.

<sup>5</sup> *Satir.* i. 6, 3, foll.

<sup>2</sup> Tacitus, *Annal.* i. 3; Vell. Paterc. ii. 96; Seneca, *Controv.* ii. 12.

joice that he did patronise such men, and will not inquire into his motives, a task which it is impossible to perform, and is often very ungracious; but Maecenas himself was a singular man, and an Epicurean in the worst sense of the word: he made an ostentatious display of his opinion that ease and comfort are the greatest blessings of human life. His own conduct was more than effeminate, and I can only describe it by saying that he was *morbidly* effeminate. We know from Horace that he was of a sickly constitution; but he would rather have spent a long life in illness and suffering, than lose the enjoyment of it by death.<sup>7</sup> He clung to life with a morbid attachment. There was also something childish and trifling in his character: he took a foolish pleasure in jewellery and precious stones, for which he was often ridiculed by Augustus, to whom however he was a very agreeable companion and a convenient person. He had a truly Epicurean contempt for all outward distinctions; he may have attached not a little importance to influence in the state; but the honours which Agrippa was anxious to obtain appeared to Maecenas as folly. Augustus however possessed in him a prudent counsellor,<sup>8</sup> and on one occasion Maecenas acted in a manner which shewed that, after all, the man was better than his philosophy; for one day, during either the time of the Triumvirate or the Perusinian war, when Augustus was pronouncing one sentence of death after another from his tribunal, Maecenas sent him a note in which he said, "Do get up, you hangman."<sup>9</sup>

It has been justly observed by Tacitus, that so long as these two men, and Drusus, the younger son of Livia, were alive, the government of Augustus was in reality praiseworthy; but after their death matters became considerably worse. Augustus in his earlier years was often attacked by dan-

gerous illnesses; one he fell into in Gaul; from another he was cured by Antonius Musa by means of cold baths; but in his later years his health became more settled: he was one of those men whose state of health does not assume a definite character until about their fiftieth year. At the time when M. Marcellus was yet a child, Augustus, who himself was very young, once, on being taken seriously ill, fancying that his end was near, gave his ring to Agrippa; in his will he made no arrangements for the succession. During the latter years of Marcellus' life, there was a misunderstanding between Augustus and Agrippa, the cause of which was probably the partiality which Augustus shewed for Marcellus. Agrippa withdrew in consequence to Mitylene. Whenever Velleius Paterculus chooses to give utterance to his thoughts—which in many cases he will not do, for he is a servile flatterer of Tiberius—few writers can say more in a few words, or give a briefer and yet more striking description of a man's character than he. Now he says of Agrippa, that he submitted to none but Augustus, *parendi, sed uni, scientissimus*.<sup>10</sup> He submitted to Augustus, but was haughty towards all who had risen later than himself. If Augustus had then died, Agrippa would undoubtedly have put aside young Marcellus, and Tiberius and Drusus, the sons of Livia.<sup>11</sup> The manner in which he was courted in the East during his stay at Mitylene, shews that he was generally looked upon as the future sovereign. After the premature death of Marcellus, at the age of twenty-three, in whom Rome appears to have lost a great consolation, Agrippa was recalled to Rome and appointed praefect of the city; and in order to raise him still more, Augustus gave him his daughter Julia, the widow of Marcellus, for his wife. This alliance might have secured to Agrippa and his sons the succession to the empire; but the dissolute conduct of his wife embittered

<sup>7</sup> Horat. *Od.* ii. 17, 1, foll.

<sup>8</sup> Comp. Vell. Paterc. ii. 88.

<sup>9</sup> Dion Cassius, lv. 7; Cedrenus, vol. ii. p. 301.

<sup>10</sup> ii. 79.

<sup>11</sup> Vell. Paterc. ii. 9.



his last years, though he did not complain of her, in order not to dissolve his connexion with the family of Augustus, who loved Julia tenderly until her disgraceful conduct became known to him. But Agrippa died before that event, and left three sons, Caius and Lucius Caesar, and Agrippa Postumus, and two daughters, Julia and Agrippina, the latter of whom was afterwards married to Germanicus; she had the pride and the noble qualities of her father and the virtues of Octavia, and was altogether a venerable woman. Her two elder brothers Caius and Lucius had been adopted by Augustus even before Agrippa's death, and they thus grew up in the house of the emperor, Caius being destined to succeed Augustus. After the death of Agrippa, Augustus gave his daughter Julia, Agrippa's widow, in marriage to Tiberius Claudius Nero (afterwards the Emperor Tiberius) his eldest step-son by Livia. Tiberius had all the peculiarities of the Claudian family: he was exceedingly proud of his noble descent, and looked upon Augustus himself as in reality nothing but a municipal upstart of Velitrae, who had been adopted into the Julian family, which he certainly thought inferior to that of the Claudii; accordingly he regarded his own marriage with Julia as one of disparagement. In addition to this he saw her dissolute life, which offended him deeply. But the influence of his mother Livia and his fear of Augustus were so great, that all his objections to the marriage had been silenced. At this time no member of the family of Augustus yet ventured openly to complain of Julia, and Tiberius was for a long time, not on good terms with Augustus. He therefore withdrew to Rhodes, and thus leaving the field to Agrippa's family, he remained absent from Rome for upwards of seven years. During his absence, the conduct of Julia became known; she was exiled by Augustus to Pandataria and cruelly treated. Tiberius now returned

to Rome, but Augustus had taken such offence at his retirement from Italy, that Livia was unable for a long time to soothe his anger. Drusus, the younger brother of Tiberius, had died in Germany, even before Tiberius went to Rhodes, and Augustus now employed C. and L. Caesar. L. Caesar had been sent to Gaul and Spain, to regulate the registration of landed property, and C. Caesar to Armenia. The latter executed some commission in Asia, and was afterwards treacherously wounded by an Asiatic, who had probably been hired for the purpose by the king of the Parthians. The wound could not be healed, and the general opinion of antiquity is, that it was poisoned by Livia.<sup>12</sup> This may be a prejudice, but is nevertheless very possible. A year before this event, L. Caesar had died at Marseilles; and the general belief, which was probably true, was that he too had fallen a victim to the ambitious schemes of Livia. Tiberius on his return was thus at once placed at the head of the family of Augustus. Of Agrippa's children only Agrippa Postumus and Agrippina survived; Tiberius and Agrippa Postumus were adopted by Augustus at the same time, in the year 754: and from that moment Tiberius, who was soon afterwards invested with the tribunician power, was the declared successor of Augustus. Agrippa Postumus was then only a boy, and throughout his life remained an insignificant person, who was no obstacle in the way of Tiberius. Such was the state of Augustus' family during the latter years of his life.

<sup>12</sup> Velleius Paterculus (ii. 102) might easily misrepresent an occurrence like this, on account of his obsequiousness to Tiberius; but the manner in which he speaks of C. Caesar, makes me conclude that he was not worth much, and that if he had returned and succeeded Augustus, the Roman empire would have been no better off than it was under Tiberius.—N.

## LECTURE CXXI.

It is well known that Augustus said he had found Rome a city of bricks and left it a city of marble; and this was not, indeed, saying too much, for the number of buildings which he erected is enormous; their remains justify his expression, and he gave Rome quite a new character. His buildings were still in the ancient style, which afterwards disappeared. The three colossal columns which were formerly believed to have belonged to the temple of Jupiter Stator, have been shown by the intelligent Stefano Piali to be remnants of the curia Julia. The Forum formerly called *forum Nervæ* has been recognised even by Palladio, and among the moderns, by Hirt as the *Forum Augustum*; although the wall around it is constructed in so ancient a style that some persons have foolishly imagined that it was executed in the time of the kings. This grand and antique style continued down to the reign of the emperor Claudius, after which the only example of it is the Colosseum. Augustus himself built the Mausoleum, the innermost part of which still exists and is in fact indestructible. Agrippa built the gate of S. Lorenzo, the Pantheon, and, in the ancient grand Graeco-Etruscan style which had long since disappeared in Greece, the theatre of Marcellus, on the site of which stands the Palazzo Savelli in which I lived for many years.<sup>1</sup> All the buildings that are called Augustan on the Palatine are very doubtful, and at least cannot be proved to be works of the Augustan age. The temple of Apollo has completely disappeared. Augustus was the first who used the marble of Carrara in building. In his reign a great many roads also were made both in Italy and in the provinces, as well as

aqueducts, among which that in the neighbourhood of Narni is still to be seen; it is built upon arches, and of very excellent bricks, of a different kind from those which we use. All these architectural works were carried on and all this splendour displayed without oppressing the people; for the Romans, as I have already remarked, paid only some indirect taxes, and thus their city was embellished without any cost to them. We cannot therefore wonder at the extraordinary popularity of Augustus during the last years of his reign, especially if we further consider that the people looked forward with dark apprehensions to the time when Tiberius was to have the reins of government. Horace's words *Divis orte bonis* came from the heart, and the people sincerely prayed that Augustus might be spared.

All that now remains to be related about the reign of Augustus is the history of the wars which were carried on against foreign enemies. The first, which occurred during the interval between the peace of Brundisium and the battle of Actium, was the war against the Dalmatians. In this campaign, Augustus displayed more activity than in any other of his military undertakings. He himself was wounded,—for the first time in his life. The Dalmatians, whose country offers great difficulties to an invader, had their power on the coast severely shaken in this war.

Not long after the battle of Actium, the war against the Cantabri and Astures began. The country which these nations inhabited nearly corresponds to the district in the north of Spain which maintained its independence against the Moors, that is Biscay, Asturias, the northern part of Galicia, and the country about Leon. The inhabitants of those parts did not yet recognise the supremacy of Rome, and Augustus had set himself the task of

<sup>1</sup> See the description of it in Niebuhr's Letters in the *Lebensnachrichten*, vol. ii. p. 284, foll., and p. 311, foll.

extending the empire as far as the ocean, the Rhine, and the Danube, which he considered to be its natural boundaries. In the first year of the war he was detained in Gaul, partly by illness, and partly by his engagements in regulating the affairs of the province. In Tarragona he was again taken ill, and the campaign was thereby delayed. The particulars of the war are not known,<sup>2</sup> but in the third year the Cantabri and Astures were subdued, and were obliged to give hostages.<sup>3</sup> It is asserted by the Biscayans, that there still exist in Biscay ancient poems upon this war of Augustus, and William von Humboldt possesses a copy of them. I can, of course, judge of it only from his translation;<sup>4</sup> but I cannot adopt his opinion as to the genuineness of those poems; my conviction is that they are not more genuine than the poems of Ossian. In the earliest poetry of the Germans we find no allusions to the Romans; and how should traditions about such a war, which was by no means important to them, have been preserved among the Cantabri? The wars with the Moors were of far more importance to the inhabitants of those countries, and yet no poetical traditions about them have been preserved. At the time when Wittekind of Corvey wrote, the remembrance of the wars with the Romans had become completely effaced, and such was no doubt the case among the Cantabri also. After Augustus quitted Spain, the oppression and cruelty of the Roman governors

excited the people again to rise against Rome; so that several more campaigns had to be made, before they were completely subdued. Augustus founded several colonies in Spain: some important towns in modern Spain owe their origin to him, such as Caesar Augusta (Saragossa), Julia Emerita (Merida down to the time of the Arabs, one of the largest towns), Pax Julia (Beja), Pax Augusta (Badajoz), and Legio (Leon).

About this time Tiberius, who had already advanced beyond the age of youth, had the command in Dalmatia, and reduced the inhabitants to submission. M. Crassus, a Roman governor, had before that time carried on a war in Moesia, repelled the Sarmatians beyond the Danube, and extended the empire as far as that river. Pannonia too submitted during Tiberius' Dalmatian campaign.

It was during the interval between the war against the Cantabri, and the Dalmatian expedition of Tiberius, that Augustus closed the temple of Janus. This temple had been closed only twice during the whole period of Rome's existence, once in the mythical age, under Numa, and the second time after the first Punic war, in the consulship of T. Manlius Torquatus (517).<sup>5</sup> Augustus is said to have closed it three times in his reign;<sup>6</sup> but this may be merely an inconsiderate statement of Suetonius.

It was either now, or even before going to Spain, that Augustus resolved to subdue the Alpine tribes, from the Salassi in the valley of Aosta to the mountain tribes of Raetia and Noricum. The latter country was governed by kings under the protection of Rome. The greater part of those tribes belonged to the Tuscan race of the Vindelicians and to the Raetians. It is probable that the Raetians did not extend farther than the valley of the lower Inn, and I believe that the upper part of that river on the northern side of the Tyrolese Alps, as far as

<sup>2</sup> Appian seems to have grown tired at the end of his book on the affairs of Spain. He mentions this war of Augustus only in general terms; but the real cause of his hurrying thus over these events seems to have been that he did not find any Greek authorities. Augustus himself must have given an account of the war in his Memoirs, for he too dabbled in literature; but his Memoirs must have been of little value, for they are scarcely ever referred to. He also tried his hand at poetry, but so far as we can judge from his letters, we may believe that he was a very bad author, and that all his productions were worthless and tasteless.—N.

<sup>3</sup> Dion Cassius, liii. 25, liv. 11; Sueton. *Aug.* 20, foll.

<sup>4</sup> Adelung's *Mithridates*, vol. iv. p. 351, foll.

<sup>5</sup> Livy, i. 19; Varro, *De Ling. Lat.* vi. 165; Vell. Paterc. ii. 38; Orosius, iv. 12.

<sup>6</sup> Sueton. *Aug.* 22.

the Danube, was occupied by the Vin-  
delicians, who belonged to the Libur-  
nian race, like the Pannonians who  
were neither Illyrians nor Gauls, and  
are called by the Greeks, Paeonians ;  
it is expressly stated that they had a  
language of their own. The Helvetii  
had been subjects of Rome ever since  
the time of Caesar. Of the manner in  
which these Alpine nations were sub-  
dued by Tiberius and Drusus, we know  
little, for our accounts are very obscure  
and confused. Baron von Hormayr<sup>7</sup>  
has made a romance out of them ; his  
intention is to impress upon the Ger-  
man and Italian Tyrolese the necessity  
of keeping together, which is indeed  
an important point, and the historian  
deserves praise for urging it : but it  
ought not to be based upon an arbi-  
trary treatment of history ; which in  
this case has in fact been of no avail.  
It is evident, however, that the war  
was carried on by the Romans accord-  
ing to a well-organised plan ; that the  
attacks were made from Italy and  
Helvetia ; that the Romans gradually  
penetrated into all the recesses of the  
Alps, even where there were no roads,  
but only foot-paths, as in the middle  
ages, and that the subjugation of the  
Alpine tribes was so complete that  
afterwards not even an attempt was  
made to shake off the Roman yoke.<sup>8</sup>  
In the course of this campaign, Au-  
gustus founded Augusta Vindelicorum  
(Augsburg), a colony of veterans, like  
all the others which he established  
during that period. As henceforth  
the veterans received the places where  
they had been stationed as permanent  
settlements, they gradually became  
regular and peaceable citizens. In the  
later times of the empire, the sons of  
such colonists had to perform certain  
military duties, the origin of which I  
do not know, nor do I believe that  
any information about it is to be found  
in ancient authors : they were the  
guardians of the frontiers, and were  
exempt from taxes, but they were  
obliged to be always ready to fight.

The German wars, which com-  
menced in 740, were the consequence  
of the conquests in the Alps. The  
Sigambri seem before this time to have  
invaded the left bank of the Rhine in  
our neighbourhood ; but they had been  
repelled by the Romans, who advanced  
as far as the Westerwald, though they  
did not make any conquests. In 740,  
the Romans attacked the Germans  
both on the Danube and on the lower  
Rhine. The fact that such attacks  
were never made on the upper Rhine,  
as far down as the river Lahn, shews  
that Suabia was not then a German  
country ; it did not become one until  
the Alemanni settled there. All we  
know about this war is vague and in-  
definite, and the account in Dion Cas-  
sius is unfortunately mutilated.<sup>9</sup> It  
may have been in these campaigns  
that, as my friend Roth conjectures,  
Domitius Ahenobarbus penetrated in-  
to Germany across the Elbe in Bo-  
hemia ; for, in the subsequent inva-  
sions, we mostly find the Romans  
marching towards the Elbe from the  
lower Rhine. The war was con-  
ducted by Tiberius' younger brother,  
Nero Claudius Drusus, in three cam-  
paigns. He advanced from the lower  
Rhine across the Weser, as far as the  
Elbe, and subdued the Bructeri, Si-  
gambri (who were then very renowned),  
Cherusci, and other tribes. The details  
of his campaign are not known, and  
localities are scarcely ever mentioned,  
since the Germans had no towns.  
Their only protection was the im-  
passable nature of their country ; for  
they had no fortified places ; and, when  
they met the Romans in the open field,  
they were usually beaten, being unable  
to resist the military skill of the  
Romans. Their country was now  
ravaged ; women and children were  
carried off into slavery, and the men  
were put to death like wild beasts ;

<sup>9</sup> The late Abbé Morelli discovered in the Venetian MS. of Dion Cassius, some fragments referring to this war, on which however they throw but little light. It is evident that the passages wanting in our editions were left out by the transcriber of the Venetian MS. from which all others are derived, in order to shorten his labour, and impose upon the purchaser.—N.

<sup>7</sup> In his *Geschichte von Tyrol*, i. p. 89, foll.

<sup>8</sup> A list of the Alpine tribes subdued in that campaign is preserved in Pliny (*Hist. Nat.* iii. 24), who took it from an inscription.



for, although Drusus was otherwise of a mild disposition, considering what the Romans then were, yet he was, like Varus, a great sinner (*ἀλιτῆριος*) towards the Germans. He died in his camp, not without a suspicion of Tiberius having caused his death; but this may have been believed only on account of the hatred which Tiberius entertained against the family of his brother, especially against Germanicus. All that Tiberius could have feared was, that Drusus, like Germanicus, might indulge in the fair dream of restoring the republic.<sup>10</sup>

In 745, after the death of Drusus, Tiberius took the command; and his triumph over the Germans was followed by his withdrawal to Rhodes. During the seven years of his absence, few important events occurred, except that the Bructeri defeated the legate M. Lollius, destroyed his legion and captured the standards. After the return of Tiberius, he received the command in Gaul, to complete the subjugation of Germany; he penetrated as far as the Elbe, and reduced the Sigambri, Bructeri, and Cherusci to obedience. On the Elbe he was joined by the Roman fleet, which had been fitted out on the river Ems, or had come from the Rhine to the Ems. How it got up the Elbe cannot be explained; it may have gone up as far as Magdeburg; and yet the Roman galleys could not sail against the current like steam-boats. After this campaign, Tiberius left Germany, as his predecessors had done, and as many of his successors did after him; for the intention of the Romans was merely to crush the Germans, not to put themselves in possession of their country, which they can hardly have thought worth the trouble of occupying.

While the Germans north of the Thüringer Wald and about the Harz mountains were thus visited by the Romans, there existed in Bohemia the great kingdom of Maroboduus, who is a strange and mysterious phenomenon

in the early history of Germany. It is expressly stated<sup>11</sup> that he had a large town (Roviasmum) for his capital, a regular army of 70,000 men, and 4000 horsemen, a body-guard, and definite political institutions. Justus Möser is perfectly right in saying that the Germans, in the descriptions of the Romans, must not be conceived of as more uncivilised than the modern peasants of Westphalia, or lower Saxony. Their dwelling-houses 1800 years ago were, I believe, not different from the more common ones in our own days, and the habitations of their chiefs were the same as the buildings of the middle ages. The notion that the ancient Germans were savages is completely false; they were neither more nor less than uncultivated country-people, to whom life in towns was altogether unknown. Venantius Fortunatus, in his poem to Radagunda, speaks of the ruined magnificence of her father's empire, and the brass-covered palaces of her ancestors, the kings of Thuringia. Möser has shewn clearly that there is no ground whatever for seeking information respecting our forefathers in the forests of North America, or the islands of the South Sea, and yet people seem at present again inclined to go back to their old notions. I do not mean to say that the habitations of the ancient Germans were the same in every respect as those of the present time, for in winter, e. g., they were no doubt obliged to have lights in the day time, all the openings of the house being closed with boards, as they had no glass windows; but this was the case in Rome itself; and similar houses still exist at Rome. I cannot, indeed, see why our ancestors of the fourteenth century should have been much more civilised than they were in the time of Augustus. Maroboduus, however, seems to have had a kingdom which was really in a state of civilisation, with feudal institutions which had arisen out of his conquest of Bohemia; for that country had before been inhabited by Boians,

<sup>1</sup> A monument was erected to Drusus on the Rhine, and was for many generations a sacred spot to Romans and strangers; but its site is unknown.—N.

<sup>11</sup> Strabo, vii. p. 290. Compare Vell. Patern. ii. 108, foll.

that is, Celts. Tiberius intended to attack him on two sides; he himself assembled his troops in Noricum and Vindelicia, and his legate, Sentius Saturninus, was to advance from the Rhine through the Hercynian and Thuringian forests. The Romans made great preparations, in constructing their roads through Germany.<sup>12</sup> In this campaign we meet with the first traces of the unhappy divisions which characterise the whole history of the Germans; the northern tribes would not assist Maroboduus, because he had not assisted them; he had allowed their power to be broken, so that in fact they hardly could assist him; they also mistrusted him, because they believed that it was his intention to make himself master over them, as he had over the Marcomanni.

While Tiberius was engaged in vigorous preparations, the Pannonians and Dalmatians revolted. This insurrection lasted for three years, and was one of the most formidable that the Romans had ever had to contend with. Maroboduus, who must have known that Tiberius had been preparing to wage war against him, remained inactive during the revolt of his southern neighbours. The Dacians and Getae, too, remained quiet, although they had formerly often crossed the Danube, and made inroads into the Roman dominion; thus Providence again assisted the Romans. If a general war had

broken out, Rome might have been placed in a most perilous situation. Augustus was seized with great alarm and trembled at the danger, for no less than 200,000 enemies are said to have been in arms. Two men of the name of Bato, one a Dalmatian and the other a Pannonian, and a Pannonian of the name of Pinnes, were the commanders of the insurgents. Velleius Paterculus,<sup>13</sup> who fought in this war, praises the intelligence and civilisation of these tribes, especially the Pannonians; and states that nearly all of them had Roman customs, and spoke the Latin language.<sup>14</sup> In this war the insurgents spread as far as Macedonia. A Roman army, which came from Asia, was defeated; and it was only owing to the extraordinary bravery of the soldiers, who made up for the mistakes of their commanders, that the Romans ultimately conquered the enemy. The revolted nations at last separated, and Pinnes was treacherously delivered up into the hands of the Romans by one of the Batos. Pannonia was the first that submitted again to the Romans, who seem to have concluded peace on terms very favourable to the rebels, in order to conciliate them. After the close of this war, Tiberius was at liberty to resume the war against Maroboduus, who well deserved a severe chastisement for having so miserably isolated himself; but another occurrence again prevented Tiberius from proceeding against him.

<sup>12</sup> We find, even at the present day, the wooden causeways or roads (*limites*) like the bridge over the Elbe at Hamburg, which the Romans formed through the marshes of Holland and Westphalia. They extend over tracts of many miles, and served as roads for the Roman armies. The wood is now perfectly black, but otherwise it is still as fresh as if it had been laid down a few years ago.—N.

<sup>13</sup> ii. 110.

<sup>14</sup> I believe that the Pannonians and Romans were kindred nations, otherwise the facts above stated are hardly credible, as the dominion of Rome had been so recently established in Pannonia.—N. (See Vopiscus, *Aurelian*. 24.)

## LECTURE CXXII.

MAROBODUUS had done nothing during the insurrection of the Pannonians and Dalmatians, although he must have known that preparations had been making against him. The whole of that part of Germany which lies between the Elbe, the Rhine, and the Westerwald, recognised the supremacy of Rome as early as the year 760; the Chauci and other tribes on the coasts of East Friesland and Oldenburg were as much subjects of Rome as the Bructeri and Cherusci in Westphalia. Quintilius Varus, who was descended from an ancient and illustrious patrician family, for his ancestors are mentioned in the earliest period of the republic, was a man of great ability, but of insatiable avarice. When he had the command of the army in Germany, he conducted himself completely as if he had been governor in a Roman province, which knew only compulsion and fear; but Arminius,<sup>1</sup> the Cheruscan, who had already distinguished himself in the Roman armies, probably in the Pannonian war, devised a skilful plan for entrapping him. As the Germans had no fortified towns, it was exceedingly difficult to keep off the Romans, or to prevent their crossing the frontiers. The German horses were bad, but their riders were superior to the Romans; they were, however, excelled by the Gauls, on account of the better horses and armour of the latter, who were such excellent horsemen that henceforth they formed the flower of the Roman armies, and most of the technical terms in horsemanship were borrowed from them. Cunning employed against tyranny is not wrong, so that I cannot despise the stratagem of Arminius, for the Germans had been attacked by the Romans in the most unjust manner. Arminius had

not the means to make head against the enemy in an open and proud way, and he was obliged to have recourse to cunning, which, in his case, was certainly justifiable. Arminius had served with German horsemen in the Roman armies; he was quite master of the Latin language; he had obtained the Roman franchise, and the rank of an eques. By dint of the greatest perseverance, he and his comrades had succeeded in gaining the unlimited confidence of Varus, and contrived to lull him into security. Varus had his stationary camp, in which he administered justice like a Roman governor in his province, and he made his judicial functions subservient to the purpose of enriching himself. His conduct was like that of the wicked governors in Switzerland. The Germans kept Varus engaged by fictitious quarrels among themselves, and made him believe that they felt very happy at the dawn of civilisation among them. The most profound peace seemed to be established, and many of the Roman soldiers were away from the camp on leave of absence.<sup>2</sup> While Varus was indulging in this feeling of security, the tribes of lower Saxony revolted, according to a preconcerted plan. Varus was induced to march towards the country of the insurgents, into which he penetrated a considerable distance. There were several *limites*, or wooden causeways, through the forests and marshes, running from the Rhine as far as the river Lippe, and through Westphalia, to the river Weser. These roads were similar to the one between St. Petersburg and Novgorod and Moscow. Varus was

<sup>1</sup> His name probably was Armin, and contained the same root as Irmensul.—N.

<sup>2</sup> Roman soldiers generally purchased their leave of absence or exemption from service, just as was formerly done in the German armies, and then received only a portion of their pay, as was the case in France previously to the revolution. Many such soldiers may have been wandering about the country.—N.

led by the conspirators to abandon these straight roads, and as he ventured deeper into the country, the revolt became general, and the Romans found themselves outwitted. Varus tried to retreat and reach the causeway, probably with a view to defending himself in the fortress of Aliso on the Lippe.<sup>3</sup> The question about the exact spot where the battle of Varus was fought is one of those which, in my opinion, can never be satisfactorily answered. The only sensible and practical mode of investigating the matter would be to examine from what point a Roman road may have been made into the country of the Germans, and I imagine that Cologne was a convenient point to start from, but the difficulties were pretty nearly the same everywhere. It is infinitely more difficult to determine anything upon this point than to trace Hannibal's passage over the Alps.

On the first day, Varus was attacked on all sides, and at once lost a great part of his baggage. It was with the greatest difficulty that he formed a camp for the night, and fortified himself. On the following day he was pressed still harder, but he continued his march. The terror and confusion in his columns were so great that in the evening when they were about to pitch their camp, the soldiers could hardly resist the attack. Varus was at last quite overcome by the consciousness of his hopeless situation and his responsibility; and he and several of his officers put an end to their lives. It was probably at that moment that Numonius Vala (apparently the person to whom Horace addressed his epistle),<sup>4</sup> separated the cavalry from the infantry, and endeavoured, but unsuccessfully, to escape with his three squadrons (*alae*).<sup>5</sup> They too were

overwhelmed, just as they deserved to be, for having abandoned their companions. On the third day the whole of the Roman army was annihilated, only a few escaping with their lives. The Germans took awful vengeance upon their oppressors; many of the Roman prisoners were sacrificed to the gods of the Germans, who offered human sacrifices for the purpose of ascertaining the future. Three legions with as many *alae* and ten cohorts were cut to pieces; but, owing to the unfortunate divisions among the Germans, they were unable to make that use of their victory which Arminius would otherwise undoubtedly have made. Many of the Roman castella however were taken and destroyed; and much else may have been done, which the Roman accounts of this catastrophe passed over in silence.

Nonius Asprenas, however, maintained himself with two legions on the western bank of the Rhine; the ever-recurring divisions among the Germans there again prevented their progress, although the nations endeavoured to rise. L. Caedicius, the commander of Aliso, was in a desperate situation. There was no hope of mercy for him; and he defended himself until, at length, he discovered an opportunity of forcing his way through the surrounding enemy. He reached the banks of the Rhine with the remnants of his brave garrison, and there was enabled to stop the progress of the enemy. As the victory was not followed up by the Germans, it afterwards gave rise to the unfortunate campaigns of revenge undertaken by Germanicus.

The news of this defeat came like a thunder-clap upon Augustus, who was one of those men who always fear the worst, and who had given sufficient proofs of his timidity during the revolt of the Pannonians. At Rome the worst consequences were apprehended: it was thought that the Germans would cross the Rhine, and that all Gaul would join them: a war in the Alps seemed on the eve of breaking out, and Augustus no doubt expected that Maroboduus also would begin to move.

<sup>3</sup> Its exact situation is unknown. I think it is not improbable, however, that it may have been in the neighbourhood of the modern town of Hamm, as some historians maintain.—N.

<sup>4</sup> i. 15.

<sup>5</sup> The cavalry of each legion (6000 foot) was called *ala*, and each *ala* amounted to 300 men.—N.



But that king, who might now have gained imperishable fame, continued in disgraceful inactivity, the consequence of which was that he ended his life as a state prisoner at Ravenna. Augustus was anxious to make a general levy; but he encountered the greatest difficulties, on account of the general disinclination to serve in the armies, which had lately and in an inconceivable manner begun to spread over all Italy. Not one hundred years before, in the wars of Marius, a man might with some reason have said, with Pompey, that it was only necessary to stamp his foot on the ground to call forth legions; but things had now become so much altered, and the unwillingness to serve went so far, that fathers mutilated the hands of their sons, in order to get them exempted from military service. The soldiers were taken from the lowest classes of society: freedmen were enlisted, and patrons were induced to set their able-bodied slaves free, on condition of their enlisting in the army. In former times, a slave who had given himself out as a freeman in order to be admitted into the army would have paid for his presumption with his life.

The merit of having stopped the course of the Germans belongs to Nonius Asprenas and Tiberius, who was hastily ordered to proceed to Gaul, and continued the work of averting the danger, by preventing the Germans from crossing over the left bank of the Rhine. Afterwards, Tiberius was called back to Rome, and Germanicus, the son of Drusus, succeeded him in Gaul. He immediately prepared for an aggressive war; but Augustus did not live to see his success. I shall speak of his campaigns hereafter.

Augustus was now at a very advanced age. His health had greatly improved; and, during the last twenty-five years of his life, he was not ill at all, or but very slightly. He was now an old man, completely under the dominion of his wife, who became worse as she advanced in years. She surrounded him with those only whom she herself liked. Her feelings towards Drusus may really have been

those of a step-mother; and it is quite certain that she entertained a mortal hatred against Germanicus, who had married Agrippina, and led an exemplary life with her at a time when all domestic feelings seem to have become extinct in every heart. Livia hated him, because he was attached to Agrippina and his children with his whole heart and soul. She bore an ill-will towards Tiberius' own son, Drusus, because he was on too friendly terms with his adopted brother Germanicus, although in other respects he had the character of his father. The defeat of Varus had thoroughly shaken Augustus. He was unhappy during the last years of his life, which we may regard as a retribution for the crimes of his earlier years. Tiberius was to set out to conduct a war in Illyricum, and Augustus intended to meet him at Beneventum. He had latterly been in the habit of spending the summer in Capreae, in the bay of Naples, the most magnificent country in the world, in order to recover from his troubles and cares; and in that mild climate he preserved his life. Here he was taken ill, and died soon after at Nola, whither he had been carried, on the 19th of August, 765, fourteen years after the birth of our Saviour. Tacitus<sup>6</sup> says that many thought it a wonderful coincidence that he died on the same day of the year on which he had forced himself into his first consulship; and many speculations were made about his having obtained as many consulships as Marius and Valerius Corvus; but it is foolish to dwell upon such things. He died as secure in the possession of his dominion, as if he had been born on the throne, and gave the succession and his ring to Tiberius, who was already invested with tribunician power. No sensible man could doubt that he would take the reins of government into his hands. I shall hereafter have occasion to mention the

<sup>6</sup> *Annal. i. 9: multus hinc ipso de Augusto sermo, plerisque vana mirantibus, quod idem dies quondam accepti imperii princeps, et vitae supremus.*

farce which Tiberius played on that occasion.

The body of Augustus was buried with the most extraordinary honours. The decuriones of the municipium of Nola carried it on their shoulders as far as Bovillae, where it was taken up by the Roman equites, and conveyed to the city. The funeral orations upon him were delivered in the *rostra vetera* and *nova* near the curia Julia by Tiberius and his son Drusus; whence afterwards all such speeches and proclamations of emperors were made from the *rostra nova*.

Augustus had at one time formed the plan of subduing Britain; but he afterwards gave it up. The extent of the Roman empire at the death of Augustus was as follows:—the frontier of the empire was in some parts beyond the Rhine, for Holland and a great portion of the country of the Frisians were under the dominion of Rome. With these exceptions, however, the Rhine up to the lake of Constance formed the boundary. The frontier then ran along the Danube as far as lower Moesia, in which the Romans were not yet masters of the banks of that river, which was often passed and re-passed by the Sarmatians; the frontier was further south, so that Tomi (Kustenji), where Ovid lived in exile, was not, properly speaking, within the boundaries of the empire. I believe that the *Vallum Trajanum* (along the ancient branch of the Danube, the salt water near Peuce), which bears a name for which there is not the least authority, was probably made in the time of Augustus, that is, during the last campaign in those regions. The Sarmatians traversed the country to the north of it, without encountering any resistance. In the time of Trajan, even Moldavia and Wallachia, nay, the country as far as the Dniester, were under the dominion of Rome. The kingdom of Cappadocia in Asia Minor was a dependency of Rome. Armenia was in a sort of alliance, but likewise recognised the majesty of the Roman people. The Parthians had put off a great deal of their ancient pride; a number of Par-

thians lived at Rome as hostages, and Phraates had returned the Roman standards of the legions, which had been taken in the war with Crassus—an event mentioned by Virgil and Horace. It is not a very great exaggeration, therefore, to say that the Roman dominion extended as far as India, though in reality the Euphrates formed the eastern boundary of the empire. Syria, Egypt, Cyrene, Libya, Africa, and Numidia, with its capital Cirta, were Roman provinces. The kingdom of Numidia had been overthrown by Caesar; the learned Juba had received from Augustus, as a compensation, the western part of Algiers and Morocco, and the kingdom of Bocchus. The dominion of Rome extended as far as Fezzan. It would have been easy to extend it even into the countries about the Niger; and it is not impossible that, at times, those countries may have recognised the supremacy of Rome, at least by embassies and tribute, though we know nothing about the matter, except that there was a road for caravans leading to Fezzan and Cydamus. Garama in Fezzan<sup>7</sup> was inhabited by the Garamantes; and Roman ruins and inscriptions have lately been found there by the learned traveller, Ouseley. In the time of Augustus, we also find mention of a successful expedition against the Blemmyes in Dongola, and of another to Yemen, on the coast of Arabia, under Aelius Gallus, which, however, was a complete failure. The number of Roman citizens had been very much increased in the western provinces, and it was from these countries that the legions were raised.

The forces of the empire consisted of forty-seven legions, and a proportionate number of cohorts. The legions were not levied in Italy, except in cases of great necessity, the army being more and more formed of auxilia and cohorts. More than nine-tenths of the army certainly consisted of new citizens. The franchise, however, was then of little value, exemp-

<sup>7</sup> In D'Anville's map there is a mistake here.—N.

tion from taxes being by no means always implied in it.

The civil legislation of Augustus, unlike that of Caesar, aimed at improving the moral condition of the nation. Caesar had intended to arrange the chaos of the Roman laws into one code; an undertaking like the civil legislation of Sir Robert Peel, which would have been very praiseworthy; for, however sad and dangerous it is to make new law-books, it is quite a different thing to bring existing laws into unity and harmony. The *lex Aelia Sentia* deserves great praise; but the legislation of Augustus was, on the whole, quite arbitrary: he wished to correct morals by fighting against the tendencies of the age. There was at that time a general disinclination to enter into a legal marriage, and Roman citizens lived to a very great extent in concubinage with slaves, so that the children

were and remained slaves, or at the best, became freedmen. The free population had, in consequence, decreased enormously, and this state of things was still extending. In the registers found at Pompeii, containing the names of the members of the trade corporations, among twenty persons, ten were freedmen, and only one in twenty, at the utmost, was an *ingenuus*. Now Augustus was quite right in trying to counteract such a system; but the manner in which he endeavoured to bring about an improvement, by the *Lex Julia et Papia Poppaea*, shews how impotent legislation is, when it attempts to turn back the current of the times. Its enactments about honour, the *jus trium liberorum*, and the like, were of no avail.<sup>8</sup>

<sup>8</sup> This lecture concludes the course of the winter, 1828—29, and was delivered on the 1st of April, 1829.

## LECTURE CXXIII.<sup>1</sup>

THE later portion of the history of the republic, though deeply disheartening, yet cannot but enlist our sympathies; it is the end of a life conducted on a certain deliberate plan, and the unavoidable issue of the events which preceded it. In the history which now follows, things are different; for the history of the empire is no longer the continuation of that which was attractive and pleasing to us in the earlier history of Rome; and

the people, who formerly awakened our greatest interest, now form a thoroughly corrupted mass. Force now decides everything; and the history itself is confined to an individual, ruling over upwards of a hundred millions of men, and to the few who, next to him, are the first in the state. The western parts of the Roman world preserved a feeble bond of unity in the language which was spoken by all persons of education, but which in the provinces degenerated into a jargon. In the East, Greek nationality was again established.

The whole history of the Roman empire is interesting only as a portion of the history of the world; but as a national or political history it is sad and discouraging in the highest degree. We see that things had come to a point at which no earthly power could afford any help; we now have the development of dead powers, instead of that of a vital energy. During the

<sup>1</sup> This and the following lecture contain some things which have been already stated in the preceding lectures; but the editor could not avoid the repetition without materially altering the form of the lectures, which he did not think himself justified in doing. The cause of the repetition is, that the remaining lectures, from the 123rd to the end, were delivered at a later period than the preceding ones, viz. in the summer of 1829, and formed a distinct course by themselves, to which only one hour in every week was devoted, which will account for the greater condensation in the manner of treating the subject.—See the Preface.

period subsequent to the Hannibalian war, there still existed in the republic a vital power which could afford relief in critical moments; but it afterwards disappeared, and the constitution of the state seems to have become incapable of rising to a crisis; the soul had gradually withdrawn from the body, and at last left it a lifeless mass.

But the history of the Roman empire is nevertheless worth a careful study, and as far as practical application is concerned, it is even of greater importance than the history of the republic; for the theologian and jurist must be familiar with it, in order to understand their own respective departments and their history. It cannot therefore be a matter of wonder with us, that persons were formerly so much engaged in studying the history of the Roman emperors. At present it is too much neglected. I might have concluded these lectures with the reign of Augustus, to which I hope to carry my History of Rome; but the consideration of its practical usefulness has induced me to relate to you the history of the emperors also, though the shortness of our time does not allow me to give you anything more than brief surveys and sketches. All that remains of the republican constitution are mere *simulacra* of what it once was.

If we had Tacitus complete, we should have the history of the early period of the empire in one of the greatest works of antiquity. His *Historiæ* and *Annales* extended over the period from the death of Augustus to the beginning of the reign of Trajan. With regard to the manner in which the *Annales* were divided by their author, the common opinion, from which scarcely any one has ever ventured to differ, except in points of secondary importance, is that the *Annales* were completed with the sixteenth book. But this is to my mind an impossibility; and it seems to me highly probable that they consisted of twenty books, as I have stated elsewhere. Wherever we have Tacitus for our guide, it would be foolish to seek for

any further light, but many parts of his *Annales* are wanting; and in those cases we are unfortunately obliged to follow Dion Cassius and Suetonius. The work of the former is mutilated in the part relating to this period; and that of the latter is but a poor compensation for the loss of Tacitus' guidance: Suetonius did not know himself what he wanted to make of his work. His history is written in the form of biographies, and this idea is quite right; but he had no plan: he wanders about from one subject to another; in consequence of which his biographies are without a definite character. In the commencement of his *Annales*, Tacitus assumes that the previous history of Tiberius is known to his readers. What works he would have referred to as introductory to his history of that emperor cannot easily be ascertained; it may however have been the history of Seneca, the father of the philosopher Seneca, which was perhaps one of the best;<sup>2</sup> or the history written by Servilius Nonianus, who distinguished himself as an historian of that period.<sup>3</sup>

As therefore Tacitus does not give us an account of the early life of Tiberius, I shall endeavour to supply it.<sup>4</sup> He was the elder son of Tiberius Claudius Nero and Livia Drusilla. His father had been quaestor of the dictator Caesar; but after Caesar's death he joined the party of the republicans, and in this he may have been in earnest. After the battle of Philippi (711) he declared for L. Antonius and Fulvia, when they

<sup>2</sup> See Niebuhr's *Ciceronis, Livii, et Senecæ Fragmenta*, p. 104.

<sup>3</sup> Quintilian, x. 1, § 102; Pliny, *Epist.* i. 13.

<sup>4</sup> There are excellent materials for it in Velleius Paterculus, who, whatever we may think of his personal character, is one of the most ingenious writers of antiquity. He very much resembles, in his manner and affectation, the French historians of the 18th century, especially those of the time of Louis XV.; but apart from the bad features in his character, he was a man of great experience: he had seen much, and gives a good account of what he had seen. Where he had no occasion to distort the truth, he is trustworthy and is an excellent historical source: his narrative is uncommonly beautiful.—N.



caused the outbreak of the Perusinian war, since he could not expect to be pardoned by Augustus. When the war of Perugia terminated in the surrender of L. Antonius, Tiberius Claudius Nero fled with his family to Naples, and thence to Sext. Pompeius in Sicily. His son Tiberius, who was born in 710, according to the Catonian aera, was then in his second year, and his life was in the greatest danger. As Pompeius did not receive them in the way that Claudius Nero had expected, he took refuge with Antony in Greece. Afterwards he returned with Antony to Italy, as an amnesty had been proclaimed in the peace of Brundisium for all those who were with Antony, which was followed by the general amnesty in the peace with Sext. Pompeius. Livia Drusilla was the daughter of a certain Livius Drusus, who was not connected by blood with the tribune and consul of that name, for his real name was Appius Claudius Pulcher, and he had been adopted by one Livius. Tiberius was thus connected with the Claudian family, both on his father's and his mother's side; and he inherited from both his parents the fearful character peculiar to the Claudii.

Soon after the return of Tib. Claudius Nero to Rome, he was compelled by Augustus to give up his wife Livia to him. She was at the time in a state of pregnancy, and gave birth to Drusus in the Palatium. Tiberius, as the step-son of the emperor, was educated as a young man of the highest rank, though nobody then thought of his becoming the successor of Augustus. Augustus hoped in vain to become a father by Livia: but he afterwards set his heart upon Marcellus, the husband of his daughter Julia, and then upon Julia's children by Agrippa. Tiberius had therefore no particular reasons for entertaining great expectations. His education was conducted with great care; it was, according to the fashion of the time, completely Greek, and conducted by Greek grammarians and philosophers. He possessed extraordinary talents, and was exceedingly industrious.

He was employed in public business at a very early age; he first obtained the quaestura Ostiensis, and was then sent to Armenia. He shewed uncommon activity and ability in all he undertook; and, although no one seems to have looked upon him as the future master of the Roman empire, yet his personal character attracted considerable attention; for he distinguished himself both at the head of an army and in the civil administration. He was however very early a person of great dissimulation, with a strong inclination to vice, which he indulged in, but carefully endeavoured to conceal. He had scarcely any friend, and stood forth as a man of a reserved and dark nature, for he had no confidence in any one except his mother. He was particularly reserved towards those who stood between him and Augustus, such as Agrippa and young Marcellus. This mistrust, which was nourished as much by circumstances as by his own disposition, had the same unfortunate consequences for his character, as in the case of the emperor Paul I. of Russia, who always fancied that persons were plotting against his life. Tiberius was otherwise a man of very great talents; and he, his brother Drusus, and his nephew Germanicus, were unquestionably the greatest generals in the Roman empire at that time. Nature had done very much for him; he possessed a strong intellect, great wit, unwearied industry, a body of the happiest organization, and a beautiful and majestic figure. His statues are so beautiful that it is a real delight to look at them.<sup>5</sup> In addition to all this, Tiberius was an extremely good speaker.

After the death of Vipsanius Agrippa, about whose hostility towards Tiberius there can scarcely be a doubt, Livia and Augustus (who began more and more to rely upon him) concocted the plan of making Tiberius marry Julia, the widow of Agrippa, who was

<sup>5</sup> Augustus and Tiberius have the finest heads among all the Roman emperors; that of M. Aurelius is distinguished for its mild and benevolent expression.—N.

leading a highly dissolute life, and was really a shameless woman. Tiberius consented very reluctantly, although this marriage drew him so much nearer to Augustus, and at the same time increased the possibility of his succeeding his father-in-law. The sons of Agrippa by Julia, Caius and Lucius Caesar, whom Augustus had adopted, were as yet alive, and stood between Tiberius and the monarch. The loose conduct of his wife Julia brought upon him humiliations which his pride and haughtiness were unable to get over, and which made him ridiculous in the eyes of the world. He therefore tried to get out of the way, as he knew that remonstrances would not work any change in Julia's conduct.<sup>6</sup> Augustus refused to allow Tiberius to absent himself; but the latter carried his plan into effect notwithstanding, and went to Rhodes, a step which Augustus took so ill that, in spite of his great military services in the wars against the Raetians, Vindelicians, and Pannonians, he would not afterwards permit him to return to Rome. Seven years thus passed away, until, after the death of Caius and Lucius Caesar, Livia prevailed upon Augustus to allow Tiberius to come back. The monarch had, on many occasions, spoken of Tiberius with such indignation that even private persons thought they would please the emperor by treating Tiberius with contempt. Meantime, Augustus had sent Julia into exile, which however had not wrought any change in his feelings towards Tiberius; and it was only through the solicitations of Livia, who then exercised absolute sway over Augustus, that her son obtained permission to return. His brother Drusus had died many years before; and, soon after his arrival at Rome, Tiberius and Agrippa Postumus were

adopted by Augustus; but not long afterwards, Agrippa was banished on account of his savage and intractable character.

It was now obvious to every one that Tiberius would be the successor of Augustus. He obtained the tribunician power, and on public occasions sat by the side of the emperor, who thus formally, though silently, pointed him out as his successor. During the period which now followed, down to the death of his stepfather, Tiberius served his country in various ways: he carried on great and difficult wars, as during the great insurrection of the Pannonians and Illyrians, who were conquered by him. Afterwards he undertook the command in Germany, and thwarted the hopes which the Germans entertained in regard to the results of their victory over Varus. On the 19th of August, A.D. 14, Augustus died at Nola, whither Tiberius, who was on his way to Illyricum, was hastily called back by a messenger of his mother. Augustus had made a regular will, in which he had appointed Tiberius the heir of two-thirds of his property, whereas with his usual dissimulation he had made no provision respecting the government, as if he had had nothing to decide on that point. However, all the necessary precautions had been taken to secure the succession to Tiberius, and the praetorian cohorts were immediately called upon to take their oath of allegiance to him. He was cautious in the exercise of his tribunician authority, which was the symbol of the highest power, and by which he could assemble the senate, stop its proceedings, and, in fact, exercise a complete command over it. After the body of Augustus had been carried to Rome and deposited in the Mausoleum, and Tiberius and his son Drusus had delivered the funeral orations, there remained for him but one more step to take, that is, to put himself in possession of the sovereignty. He was now in his fifty-sixth year, or at least at the close of the fifty-fifth. His conduct on that occasion shews us at once that remarkable dissimulation

<sup>6</sup> The intricacies of the family of Augustus very much resemble those of the families of Cosmo de Medici and Philip II.; for, in all these three cases, we find the members of the same family conspiring and plotting against one another with as much cunning and malignity, as though they had been born personal enemies.—N.

and cunning, which had been fostered by his fear of being plotted against. He was not timid on the field of battle; but he trembled at the thought of a secret enemy. He had by this time acquired a perfect mastery in dissembling his lusts, and his mistrust. He does not resemble Cromwell in other respects; but he was, like him, one of those characters who never express their real sentiments, for fear of being betrayed, or of saying more than they want to say. He was anxious to appear as a moral man, while in secret he abandoned himself to lusts and debaucheries of every kind. Fortunately such characters are met with oftener in ordinary life than among men of power and influence. In accordance with this character, Tiberius now played the farce which is so admirably but painfully described by Tacitus:<sup>7</sup> he declined accepting the imperium, and made the senate beg and intreat him to accept it for the sake of the public good. In the end Tiberius yielded, inasmuch as he compelled the senate to oblige him to undertake the government. This painful scene forms the beginning of Tacitus' Annals.

The early part of his reign is marked by insurrections among the troops in Pannonia and on the Rhine. Augustus had established regular garrisons in fortified camps on the frontiers of the empire, where the soldiers were

stationed winter and summer, until they were old men. After having been in a legion for a certain number of years, they were to remain for a time under the *vexilla* as a sort of reserve, and then they were to become free. According to the system of Augustus, the old legion was then broken up, the men received settlements as military colonists, and a new legion was formed. This system was a great hardship both for the provinces and the soldiers, but was nevertheless admirable, inasmuch as it kept the men always in a condition to fight; but they were a terror to the provinces, which were plundered and ransacked by the officers as well as by the soldiers. Now those legions had been obliged to serve longer than the law required. This led them to break out in an open rebellion, which is beautifully described by Tacitus,<sup>8</sup> to whose work I refer you. Drusus quelled the insurrection in Illyricum, and Germanicus that on the Rhine; but, notwithstanding this, it was in reality the government that was obliged to yield. The soldiers obtained favourable terms; the hardships of the service were lightened, and the advantages which they were to have as reserves were secured to them, although in after-times this last promise was often violated; their leaders, however, were put to death.

<sup>7</sup> *Annal.* i. 11, foll.

<sup>8</sup> *Annal.* i. 16, foll.

## LECTURE CXXIV.

THE elections of magistrates had until then been held in the ancient forms, although those proceedings were a mere farce: but at the beginning of the reign of Tiberius they were transferred to the senate, which elected the candidates in perfect conformity with the wishes of the sovereign; and popular elections ceased altogether. This

measure produced in reality so little change, that Tacitus gives to it scarcely a passing word; for the Roman people consisted of a small number of persons as early as the reign of Augustus, and they were the worst part of the nation; whereas the senate was a select body of citizens chosen from all Italy and other parts of the empire.

But a more important change introduced by Tiberius was the drawing up of lists, according to which the provinces were assigned.

The reign of Tiberius, which lasted for twenty-three years, that is, till A. D. 37, is by no means rich in events; the early period of it only is celebrated for the wars of Germanicus in Germany. I cannot enter into the detail of these wars, as our time is too limited; and I shall therefore pass over them, as well as every thing else for which I can refer you to Tacitus. The war of Germanicus was carried into Germany as far as the river Weser, and it is surprising to see that the Romans thought it necessary to employ such numerous armies against tribes which had no fortified towns. When such hosts of Romans arrived in Germany, the only refuge of the natives was to withdraw into their forests and the impassable districts. It is also remarkable that the Romans always committed the same mistake there, that is, they penetrated too far into the country, in the hope of making an imposing impression upon the enemy, and of thus inducing them to submit. They made military roads with bridges across the marshes in Overijssel, the lower territory of Münster, and on the river Lippe into the heart of Germany. A more gradual but steady progress would have met with surer success; but the Romans do not appear to have thought it worth their while to conquer the country; for if they had got it, they would have gained nothing but a wilderness: the main cause of their not permanently occupying the country seems to have been that they would not, their only object being to protect the frontier of the empire. We may thank Heaven that they gave up the conquest, and that Tiberius, probably from his jealousy of Germanicus, called him back after his last brilliant feats. The Germans on the Weser had suffered a great defeat, but A. Caecina's forces were nearly destroyed. The manner in which the Germans conducted the war shews that the notions which some persons have of them are of the most perverse kind: they must

have been sufficiently civilised to know how to form large armies, and to keep them together ready to fight, when an opportunity offered itself or necessity required it.

But Tiberius did everything to maintain peace; for he had a great dislike to giving his generals opportunities of distinguishing themselves, and he therefore gladly connived even at any blunder they might make: he even shut his eyes to the affront offered to him in Armenia and Parthia, when the king whom he had given to the Parthians was expelled. Hence the history of his reign after the German wars becomes more and more confined to the interior and to his family. He had an only son, Drusus, by his first wife Agrippina; and Germanicus, the son of his brother Drusus, was adopted by him. Drusus must have been a young man deserving of praise; but Germanicus was the adored darling of the Roman people, and with justice: he was the worthy son of a worthy father, the hero of the German wars. If it is true that Drusus longed to see Augustus restore the republic, it shews a great and noble soul, although the scheme itself was very fantastic. The republic could not have existed for a single year without a thorough reform of the constitution—a just punishment for the prodigious conquests it had made, and for the sins it had committed against the world. Germanicus had declined the sovereignty, which his legions had offered to him after the death of Augustus, and he remained faithful to his adopted father, although he certainly could not love him. Tiberius, however, had no faith in virtue, because he himself was destitute of it; he therefore mistrusted Germanicus, and removed him from his victorious legions. His mistrust was increased by the enthusiasm with which Germanicus was received in his triumph by all classes at Rome. Tiberius, who was conscious of his own vices and his tyranny, although he concealed them from the world, could not look otherwise than with hatred upon a noble character like that of Germanicus: he dreaded the contrast between himself and the



pure virtue of the other. It may, however, have been as much anxiety for the good of his son, as the torment arising from this consciousness of moral inferiority to Germanicus, which induced Tiberius to confer upon the latter the commission which Agrippa had once held, to undertake the administration of the *res Orientis*, to superintend the eastern frontiers and provinces. On his arrival there he was received with the same enthusiasm as at Rome; but he died very soon afterwards, whether by a natural death or by poison is a question upon which the ancients themselves are not agreed. I am, however, inclined to believe that his death was a natural one; for the statements brought forward against Piso refer to sorcery rather than to poison: of the former there seem to have been proofs, and superstition was then very prevalent,<sup>1</sup> and a person who could resort to sorcery, would not be likely to attempt poison. Lichtenberg says somewhere, "When people cease to believe in God, they believe in ghosts." It is not indeed incredible that Piso may have attempted to murder Germanicus; but his conduct towards him under a prince like Tiberius is to me unaccountable and a perfect mystery. He was insolent indeed towards Germanicus, and must have believed that such behaviour would please Tiberius; but how could he mistake the character of Tiberius so much as not to see that Tiberius would sacrifice him, if the matter should ever come to be discussed? Even if the emperor had in his heart approved of the crime, yet he would have been obliged publicly to punish the criminal. In the time of Tacitus, these occurrences were already too remote, the most different reports were current about them, and the historian does not express himself decisively upon the point.<sup>2</sup> The crime of poisoning Ger-

manicus might have been overlooked by Tiberius, but Piso's insulting and publicly reviling that prince was of itself a violation of the *majestas*, as Germanicus was the adopted son of Tiberius. But the most surprising thing was yet to come. When Germanicus was sent as Piso's successor, Piso, instead of at once giving up to him his province of Syria, refused to quit it, opposed the commands of Tiberius, and collected troops with the intention of marching to Rome. This is to me the most mysterious phenomenon in all Roman history, and is one of the instances in which secret intrigues, and the obscurity which hangs over the occurrences of a reigning family, defy all attempts at clearing them up. Piso and his wife Munatia Plancina, a daughter of the orator, Munatius Plancus, were condemned, but they carried their secret with them to the grave. There were suspicions that Livia herself had given Piso secret instructions to poison Germanicus, as she had little to fear from the anger of Tiberius, and was wicked enough not to spare even her own grandson; but this was probably no more than a conjecture.

The death of Piso was soon followed by the prosecutions for the *crimen majestatis*, that is, quite indefinable accusations, against which no one could protect himself. Charges of this kind had occurred very seldom during the time of the republic; but even then had the most different meanings,

stances are against it, and the truth has never been ascertained to this day. The one case is that of the Duke of Orleans, who is generally thought to have been incapable of such a crime, because with all his vices, he possessed a certain frankness and straightforwardness; but I cannot say this of the detestable persons by whom he was surrounded. The second case is that of the Duke de Choiseul, who was charged with having poisoned the Dauphin, the son of Louis XV. The prince was a very pious and devout person: Choiseul, on the other hand, was a frivolous freethinker, and knew that he was hated by the Dauphin. It is therefore said that he wanted to get rid of the prince, that he might not prevent the abolition of the order of the Jesuits, and that after the demise of Louis XV. Choiseul might be sure of his post.—N.

<sup>1</sup> See Tacitus, *Annal.* ii. 69, foll.; Dion Cassius, lvi. 18; Sueton. *Calig.* 1, foll.

<sup>2</sup> In the course of the eighteenth century we meet with two similar cases of suspected poison in the royal family of France. If we read the descriptions of the corpses, the crime seems very probable; but other circum-

and were, properly speaking, applicable to everything. The prosecution was mostly directed against persons who, by their personal fault, had brought misfortunes upon the state. In the reign of Augustus, any offence against the person of the emperor had by some law with which we are not further acquainted, been made a *crimen majestatis*, as though it had been committed against the republic itself. This *crimen* in its undefined character was a fearful thing; for hundreds of offences might be made to come within the reach of the law concerning it. All these deplorable cases were tried by the senate, which formed a sort of condemning machine set in motion by the tyrant, just like the national convention under Robespierre. Many things were treated as a *crimen majestatis* which had in reality nothing to do with it. Persons who dishonoured members of the emperor's family, for example, or those who committed adultery with the imperial princesses, were guilty of the *crimen majestatis*. In the early part of Tiberius' reign, these prosecutions occurred very rarely; but there gradually arose a numerous class of denouncers (*delatores*), who made it their business to bring to trial any one whom the emperor disliked. Tiberius himself acted the part of a neutral person in these proceedings; but the senate got by degrees into the fearful habit of condemning every one that was brought to trial, and of looking to nothing but the pleasure of the emperor. Such things, as I said before, did not often happen during the first nine years of the reign of Tiberius, and the monarchy was then in a tolerably happy condition. Tiberius lived very retired, but with becoming dignity and moderation, and took great pains about the manner in which he appeared before the public. He treated the eminent men of the nation with distinction, and maintained a strict economy in the finances. Augustus, who had not been very economical, and at the end of his reign was even in financial difficulties, had made the accounts of the treasury known to the public, but Tiberius,

who amassed enormous treasures, kept the accounts secret. The indirect taxes in Italy were increased and some new ones were imposed.

This state of things lasted as long as the aged Livia was alive; but even then far-sighted men were not without their apprehensions as to what would happen after her death, for, while Tiberius treated graciously those with whom he came in contact, he was open to nobody. He feared his mother to the very end of her life; but his attachment to her had ceased long before. She was a wicked and terrible woman, but still the great length of her life was fortunate for Rome, at least for those who had forgotten the old times. After her death, there was no one whom Tiberius had to fear, and he acted as he pleased. His virtues, which had been developed by his former activity, and had been kept somewhat alive by the authority of others whom he was obliged to please, and to whom he had to render an account of his actions, now became completely extinct. His dark and tyrannical nature got the upper hand: the hateful side of his character became daily more developed, and his only enjoyment was the indulgence of his detestable lust. An aged man who is in this condition sinks irrevocably into the basest and most abject state. Napoleon is reported to have said to a deputation of the Institute, that Tiberius was treated very unfairly, and that Tacitus had not done justice to him. Napoleon was very far from being a man of learning: his knowledge was of an extremely desultory kind; but I am nevertheless convinced that he was well acquainted with the military history of Rome. He must have said, or meant to say, "If persons form their notion of Tiberius from Tacitus alone, and regard him as a mere abject and contemptible sensualist, or as a tiger of cruelty, they have not got the right picture of him; for up to his fiftieth year he was a great general and statesman." He possessed all the vices which the ancients called *subdola*; they had till then been concealed, but now became manifest. So long as circum-

stances required the exercise of his higher and better faculties, he acted well, and appeared in a totally different character from that which he afterwards displayed.

His only friend was Aelius Sejanus, a man of equestrian rank, and the son of a citizen of Vulsinii, of the name of Seius Strabo. His character bore the greatest resemblance to that of his sovereign, who raised him to the office of *præfectus prætorio*. He must not, however, be looked upon merely with contempt; for Tacitus<sup>3</sup> characterises him as an excellent officer, and a man of great personal courage and power of will, but without any moral feeling or principle, for otherwise he could not have been the friend of Tiberius. It was with him alone that Tiberius felt at his ease; he alone knew how to make his master comfortable, and to convince him that he could follow his own inclinations with more impunity than he imagined. Sejanus was thus a very convenient person for Tiberius, and satisfied him by securing him against those whom he dreaded most, namely the members of his own family, and the few remaining nobles. Sejanus increased the number of the prætorian cohorts, and persuaded Tiberius to concentrate them in the neighbourhood of Rome, in the *castrum prætorianum*, which formed as it were the citadel outside the wall of Servius Tullius, but in the midst of the present city. The consequences of this measure render it one of the most important events in Roman history; for the prætorians now became the real sovereigns, and occupied a position similar to that which the Janissaries obtained in Algeria: they determined the fate of the empire until the reign of Diocletian; Rome thereby became a military republic, which was usually dormant, except when the succession had to be determined upon. Sejanus contrived to win the heart of Tiberius by raising his distrust of his own family to the highest pitch, and he himself aimed at nothing short of the succession as emperor. Drusus,

the son of Tiberius, was still alive, and had children; three sons of Germanicus, and Claudius, the brother of Germanicus, were likewise still living; but the plan of Sejanus was to get rid of them all. With this view he seduced Livia or Livilla, the wife of Drusus, and a daughter of the elder Drusus with her assistance poisoned her husband. The sons of Germanicus, with the exception of Caius, who was yet a child, were likewise despatched in a cruel manner. The influence of Sejanus over Tiberius increased every day, and he contrived to inspire his imperial friend with sufficient confidence to go to the island of Capreae. While Tiberius was there indulging in his lusts, Sejanus remained at Rome and governed as his vicegerent. The city saw the emperor only from time to time. Prosecutions were now instituted against all persons of any consequence at Rome; the time when Tiberius left the capital is the beginning of the fearful annals of his reign, for which he deserves to be held up to mankind as the very pattern of a tyrant. The lists of persons condemned to death contained all men of any importance, though all were not equally respectable. Much of the iniquity now perpetrated must be ascribed to Tiberius himself, but much also to Sejanus: the banishment of Agrippina was his work, but her last tortures and death belong to the period subsequent to the fall of Sejanus. His tyrannical proceedings continued for a number of years, until at length he himself incurred the suspicion of Tiberius, and that not without good reasons: for there can be no doubt that Sejanus, to say the least, was only waiting for the death of his master, in order to raise himself to the throne with the help of the prætorians. Tiberius had conferred upon him such extraordinary favours and distinctions, that the same homage was paid to him as to the emperor himself.

But it now happened that a man still more abject than Sejanus found his way to the heart of Tiberius. Virtue and intellect could not have shaken Sejanus, but a man worse even than

<sup>3</sup> *Annal.* iv. 1.

he, succeeded ; this was Macro, who had none of the great qualities of Sejanus, but only analogous vices : he it was who brought about the downfall of Sejanus. Tiberius pretended to apprehend a conspiracy, in consequence of which he wished to return to Rome. He arrived, however, only in the neighbourhood of the city, convoked a meeting of the senate, and gave orders to arrest Sejanus. The plan was arranged with great cunning. The letter in which he sent this command to the senate was a *verbosa et grandis epistola* ; while hearing it read the senators were prepared for something extraordinary, there being in it some hits at Sejanus. It concluded with the command to arrest him. Macro had been made *præfectus vigiliæ*, who were the gens-d'armes of the city, and had surrounded the senate-house with his troops. Sejanus was seized ; and the senators, who had that same morning cringed before him, now rose, loudly declaring him guilty of the *crimen majestatis*, and insisted upon his immediate execution, fearing lest his prætorian cohorts should hear of what was going on. He was imme-

diately strangled, and no one thought of avenging him. Tiberius' thirst for blood now satiated itself in the persecution of the followers and friends of Sejanus ; but others too were persecuted. The butchery at Rome even increased ; and those who had formerly been persecuted for being honest men were less safe after the fall of Sejanus than before. Macro ruled just as tyrannically, exercised the same influence over the disgusting old man, and was just as faithless to him as his predecessor had been. Caius Caesar, the son of Germanicus, commonly known by the name of Caligula, formed with Macro a connexion of the basest kind, and promised him the high post of *præfectus prætorio*, if he would assist him in getting rid of the aged monarch. Tiberius was at the time severely ill at a villa near cape Misenum. He fell into a state of lethargy, and everybody believed him to be dead. He came to life again however ; on which he was suffocated, or at least his death was accelerated in some way, for our accounts differ on this point. Thus Tiberius died in the twenty-third year of his reign, A. D. 37, at the age of 78.

## LECTURE CXXV.

GERMANICUS and Agrippina had left behind them six children, three sons and three daughters. Two of their sons had been murdered in the reign of Tiberius ; Caius, the youngest, who is known by his surname, Caligula, was the only survivor. He was not born at Treves or anywhere in our neighbourhood ; Suetonius has satisfactorily proved from public documents that he was born at Antium ;<sup>1</sup> but he was sent into the camp of his father, whence the history of his childhood is connected with the countries of the Rhine and Moselle. After the death of his father he lived under the control of his adoptive grandfather

Tiberius, who still preserved his intellect in the midst of his vices, and recognised in Caius at an early age the monster he really was. If there is anything to be said in his excuse, it is this : he could not conceal from himself that his life was threatened from his childhood, and it may be that constant fear and anxiety made him mad. This madness, however, was manifested in so malignant and execrable a manner, that the infamy of his nature cannot be doubted. In the lifetime of Tiberius, Caligula maintained himself by the greatest servility towards the emperor and every one else who was in possession of power and influence ; this was, under the circumstances, the most prudent conduct he could pursue,

<sup>1</sup> Sueton. *Calig.* 8.



and he managed things skilfully. Afterwards he formed a close alliance with Macro, and in conjunction with him, got rid of the aged Tiberius. Until then the public had seen little of him. He was a handsome young man, resembling his father, and in the bloom of life, for he was now only in his twenty-fifth year. His beauty may still be seen in his statues. The resemblance of his features to those of his father, and the recollection of the noble character of the latter, procured him an enthusiastic welcome on his accession. His surname, Caligula, is one which I use as repugnantly as that of Caracalla; for no ancient writer, at least no contemporary, applied the name of Caracalla to M. Aurelius Antoninus Bassianus, the son of L. Septimius Severus. It is, like Caligula, a vulgar name. Caius Caesar was called Caligula in his youth by the soldiers; but the name is unworthy to be used in history.

Those who had come in close contact with him, at the court of Tiberius, had discovered in him a monstrous wickedness and dissimulation; but their number was very small; and his first actions after his accession were of such a kind, that the public was led to expect much good of him, so that the joyfulness at Rome and throughout the empire was really tumultuous. How long this lasted is unknown. Suetonius is very minute in his account of Caligula, but he is an unantique writer, and delights in anecdotes and details; he has neither a general survey of his subject, nor the power of drawing up or following a definite plan. Hence his biographies are irregular and diffuse, and contain frequent repetitions. But although he is a bad writer, he is a man of sense, who, one can see, wrote at a time when the classical form of written compositions was neglected or unknown. But I will not say more: suffice it to state, that Caligula was a real madman, and that the greatest amount of human wickedness cannot account for the acts which he committed: what Goethe's Faust says of Mephistopheles—

Thou nature's mockery, born of filth and fire!

may justly be applied to the character of Caligula.<sup>2</sup> No one can take any pleasure in giving a detailed description of his actions. Some of my friends have expressed the opinion that Juvenal was an obscene man, on account of what he relates in his satires; but I do not think so. I believe that he was only indelicate: he is indignant at what he relates, and does not take pleasure in it. Suetonius, on the other hand, was undoubtedly infected with the vicious character of his age; for he evidently likes to dwell upon it. He is himself in doubt as to whether the wickedness of Caligula was the manifestation of a diabolical nature, or merely the result of his madness; but he mentions one circumstance which is decisive, viz., that he was scarcely able to sleep at night.<sup>3</sup> Christian VII. of Denmark had the same restlessness: he was often seen during the night standing at the windows of his palace without any covering, and was always wandering about. Sleep is intended much more to preserve the elasticity of the mind, and to be a balm for the reason of man, than to be a means of strengthening the body. Now imagine Caligula living in circumstances, none of which were adapted to exercise any beneficial influence upon his mind; if he had been a Christian, religion would have afforded some means for making an impression upon him; but there was nothing at Rome that could check his madness.

Rome was under the most complete military despotism. The soldiers were munificently rewarded; and if the senate or the people had risen against the tyrant, they would have been sacrificed by the praetorians. The fate of

<sup>2</sup> About twenty years ago there died a prince, Christian VII. of Denmark, in whose name the Government was well conducted for a number of years, so that his madness could do no harm. That prince had no opportunity of showing his real character, which was the same combination of obscenity and cruelty as that of Caligula; and if he had lived in different circumstances, he would have acted like him. Such men are occasionally met with among the Eastern princes, as among the Turks and Persians, but especially among the Tartars.—N.

<sup>3</sup> Sueton. *Calig.* 50.

Rome was like that of a place taken by barbarous and merciless Turks, and the condition of the empire was no better. Tiberius had left a treasury which contained nearly twenty millions sterling, if the calculation is right. This sum was squandered away by Caligula during the first years of his reign in the most senseless manner; and the fresh sums which were raised by confiscations were lavished in the same way.

With the Germans, a peace had been concluded after the wars of Germanicus, and it had now lasted for about twenty years; but its terms are not known. Caligula, however, could not deny himself the pleasure of undertaking a campaign ostensibly against the Germans; but he conducted it like a fool. This was, however, the least important among his senseless undertakings: a more gigantic one was the causeway or bridge which he caused to be made across the straits between Baiae and Puteoli. Traces of this useless and absurd structure are still visible in the harbour near Puzzuoli. His madness in ordering himself to be worshipped as a god, and the like, are well known.

After the empire had thus existed in despair for a period of four years, a conspiracy broke out among the officers of the praetorians, some of whom were obliged to be always about the emperor's person, and whom he insulted and ill-used. Their plan succeeded, and Caligula was murdered. This event excited great joy among the senators and people; and the fantastic hope of restoring the republic now revived. The consuls, who had been appointed by Caligula, were especially enthusiastic. They convoked the senate in the Capitol; and it was really believed that the republic might be restored. The senate quickly passed a sentence of disgrace upon Caligula; and during the first hours after his death the restoration of the republic was discussed with great joy. But difficulties soon appeared, and were followed by the conviction that the senate reckoned without their host, and that the praetorians had all the power in their

hands: now the praetorians insisted upon being governed by a monarch.

During the tumult Claudius had concealed himself for fear of being murdered by the soldiers; but he was dragged forth from his hiding-place, and led to the camp. He spent the night in the anguish of death; but the praetorians took their oath of allegiance to him, and regularly proclaimed him emperor, although the *cohortes urbanae*, which were always hostile towards the praetorians, had declared in favour of the republic; but they were unable to make head against the praetorians. The issue of the contest was so doubtful, that people were glad on the following day to recognise Claudius as emperor.

Claudius was an uncle of Caligula, and a brother of Germanicus. It was almost a miracle that his life had been saved. He had never been adopted by Tiberius, though otherwise a succeeding emperor was, by a fiction, made the son of his predecessor; but things had already come to such a point, that this preliminary step was no longer considered necessary to establish a man's claims to the sovereignty. Claudius was now in his fiftieth year. Of Caligula we cannot speak otherwise than as of a monster; but Claudius deserves our deepest pity, although he did evil things, which shew that there was some bad element in his nature. But if we examine the history of his life, we shall find that his bad qualities were mainly the result of his misfortunes.

His mother Antonia, a daughter of the triumvir, M. Antony, called him a *portentum hominis*,<sup>4</sup> and he was really an ἀτέλειστον, for there was something wanting in him, without which the human mind is not complete, although he was not devoid of talent. He is one of those phenomena in history which we may call psychological peculiarities. He had a great desire to acquire knowledge, was very industrious, of a retentive memory, and fond of science and literature; but he was deficient in judgment and reflec-

<sup>4</sup> Sueton. *Claud.* 3.

tion. He often said and did things which were really stupid; and it seemed as if he were covered with a thick crust, through which his better nature burst forth only occasionally. Suetonius' life of Claudius is very instructive. In describing his character, Suetonius uses two Greek words, which shew what nice observers of character the Greeks were. He says<sup>5</sup> that people were astonished at his *μετῴρῖα* and *ἀβλεψία*, referring to his want of tact and his thoughtlessness, which made him say things that were inappropriate, or the very reverse of what he ought to have said. In his early life he had been ill-treated by his whole family, for his brother and sister were persons of great qualities, and possessed all the love and affection of the family, whereas every one was ashamed of Claudius. The aged Augustus, who was very sensitive in regard to such things, would not allow him to appear before the public at all,<sup>6</sup> and his grandmother, Livia, in particular treated him very roughly and cruelly. The unhappy young man felt the contempt with which he was treated very keenly; and I am convinced that, if he had been brought up as a private man, and treated with love, the evil part of his nature would never have been developed, and that he himself would have become an industrious and good-natured though weak-minded man, whom no one could have regarded as vicious. Among his bad features I must mention his very great cowardice, the result of the contempt in which he was held. He withdrew from everything, or whenever he attempted to come forward, his timidity overcame him, and he was obliged to retire. He sought and found full consolation in literary pursuits. It is my sorrowful duty thus to speak of this unhappy man, who is frequently, but unjustly, condemned as severely as other tyrants. Livy, the historian, of whose benevolent heart we can judge from his work, pitied Claudius, and endeavoured to

encourage him in his literary pursuits, for Claudius was fond of history, and Livy cheered him on in his study of it.<sup>7</sup> As he possessed great knowledge, Claudius considered that he was called upon to write the history of the civil wars, subsequent to the death of Caesar, and he wrote it in so honest a manner, that his family was quite enraged at him. He afterwards wrote memoirs of the reign of Augustus, which his family allowed to pass, though they only despised them. He was thoroughly honest; but his want of judgment continually led him to do silly acts. In this manner he passed his life in great obscurity. Augustus refused to assign him any post on account of his dreadful awkwardness. Tiberius allowed him to live, because he thought him too insignificant a person, and even gave him the consulship. In his several marriages, too, Claudius was unhappy;<sup>8</sup> misfortune pursued him in all he undertook. He was of an affectionate disposition, and had a tender attachment to the women who disgraced and betrayed him.

In this manner Claudius reached his fiftieth year, when Caligula was murdered, and he was raised to the throne. His conduct as emperor was at first rational and good: the childish scheme of restoring the republic was not avenged upon those who had entertained it, and he ordered a general *abolitio factorum dictorumque* to be proclaimed.<sup>9</sup> Only a few of the murderers of Caligula were put to death,—a measure which we cannot approve of, as those men had deserved well of the Roman world; but it was a sacrifice which had to be made to the soldiers. Claudius is the first emperor who, on his accession, gave donations to the soldiers, or at least to the prætorians. Even Caligula had under-

<sup>7</sup> Sueton. *Claud.* 41.

<sup>8</sup> The conduct of females at that time was of the most dissolute kind. Augustus had exerted himself in vain to counteract their immorality, and even the licentious Tiberius had been zealous in opposing it. It was so bad that we can now scarcely form a notion of it.—N.

<sup>9</sup> Sueton. *Claud.* 11.

<sup>5</sup> *Claud.* 39.

<sup>6</sup> Sueton. *Claud.* 3, foll.

taken the government without repeating the farce which Tiberius had acted, nor did Claudius imitate it. He reigned for nearly fourteen years, from A.D. 41 to 54; and during the first period of his government, which formed a refreshing contrast to that of Caligula, he made many good and useful regulations; if he had found an honest friend, in whom he could have trusted, his reign might have been happy and praiseworthy. But this was unfortunately not the case. He had always been confined within the walls of the palatium; he had lived with his wives only, and had tried to please them alone; besides them he had had no social intercourse, except with his slaves and freedmen, as the nobles despised him. But the unhappy prince, with his strong natural desire to open his heart to others, had no real friend. Had he not come to the throne, he would have remained harmless; but when he ascended it, he was surrounded by his freedmen, who acted the part of friends, just as at present the barber of Dom Miguel is his confidant, although in his case there is nothing to excuse such a connexion. Claudius himself was a better man, and had a more cultivated mind than Dom Miguel. Many among his freedmen may not have been altogether contemptible persons; for Greek slaves were often very well educated in the houses of the Romans, when they had talent; and they were often extremely well informed. Polybus or Polybius was probably a man of good education, although he may have been very bad in a moral point of view, for Seneca condescended to dedicate one of his works to him.<sup>10</sup> But Pallas and Narcissus, with whom Claudius was perhaps connected before he ascended the throne, were men of a different cast; they were downright wicked, and in their insatiable avarice they plundered the empire.

Through the influence of these per-

sons and his wife Agrippina,<sup>11</sup> the daughter of his brother, he was induced to adopt Domitius Nero, the son of Agrippina by her former husband, although Claudius himself had a son Britannicus, who might have become his successor. It was the influence of the same persons also that made his reign so disgraceful and unhappy. If we compare the number of innocent persons who fell as victims in this reign with the number executed under other rulers, it is not large indeed; but still, viewed absolutely, it is considerable, and the reign of Claudius was unhappy for Rome; for whenever Narcissus demanded a victim, Claudius was his ready tool, whence his life was an uninterrupted series of acts of degradation. On the other hand, however, works were executed in his reign, which would have done honour to a better age. I need only mention the great aqueduct, the *aqua Claudia*, the finest of all, which supplied Rome with water throughout the middle ages, and was built in the grand antique style. During the restoration of Rome in the fifteenth century, this aqueduct may have been restored. There is no doubt that the two largest arches, known under the name of Porta Maggiore, are his work. Another gigantic structure, which Augustus had thought impracticable, was the emissary or canal which carried the water of lake Fucinus into the river Liris. At first, a fault was committed in levelling, but it was soon remedied. Ruins of the vaults of this emissary still remain.

With regard to the wars of this reign, Claudius himself undertook an expedition against Britain; and he actually extended the Roman dominion. No one had been concerned about Britain since the expeditions of Julius Caesar; but Claudius himself led an army into the island and formed a

<sup>10</sup> The *Consolatio ad Polybium*. Compare Seneca, *De morte Drusi*, in fin.; Sueton. *Claud.* 28.

<sup>11</sup> She was a woman of the most dissolute character, and without a trace of modesty. She was very beautiful, but delighted in nothing so much as in intrigues; she had not inherited one of the virtues of her parents. —N.



Roman province there, which consisted of the south-eastern part of Britain, where colonies and municipia were soon established. From that part Vespasian and his sons afterwards effected the conquest of England and Caledonia.

The death of Claudius was unquestionably caused by poison, administered to him by Agrippina, who wanted

to secure the succession for her son Nero; for she knew that Claudius repented of having adopted him, and would therefore appoint his own son Britannicus to succeed him. Claudius died scorned and despised. The unhappy man is seen in all his wretchedness in Seneca's work, "*Ludus de morte Claudii Caesaris*," erroneously called *ἀποκολοκύνθωσις*.

## LECTURE CXXVI.

EVEN the time of Augustus is the beginning of an almost complete barrenness in Roman literature, which presents a great contrast to the abundance of poets belonging to the time of the dictator Caesar. Poetry became altogether extinct; and we cannot mention a single poet who was a young man in the latter part of the reign of Augustus. I cannot undertake to account for the fact, but the same phenomenon has very often occurred in modern times, and we have witnessed it in the most recent period of the poetry of our own literature. The influence of Greek rhetoricians is visible even in the best age of Roman literature, and how little the most eminent writers after the time of Cicero, Caesar, and Sallust, were free from it, is manifest in the history of Livy, which contains many passages which he would not have written, had he not studied in the school of the declaimers. But about the time of Augustus' death, and in the reign of Tiberius, the rhetoricians exercised a paramount influence upon all branches of literature, as we may see most distinctly in the "*Suasoriae*" and "*Controversiae*" of the elder Seneca. That period saw the full development of what is described in Tacitus' excellent dialogue, "*De Oratoribus*." The only object of that school was to produce effect by sophistical niceties, a bombastic phraseology, and high-flown words; thoughts and substance were considered as of secondary importance. The age of

Seneca, among whose productions we still possess specimens of the hollow declamations of the time, was the fruit of those rhetorical schools. Seneca, the father, belongs to another period. He very well remembered a better taste; and from what he wrote to his sons, we see how deeply taste had sunk in his time. He upbraided them with their fondness for the new style, although he himself was anything but free from it. He wrote his "*Controversiae*" when he was upwards of eighty years old. Seneca, the philosopher, is the most remarkable man of that time, and one of the few whose personal character possesses any interest. In order not to be unjust towards him, it is necessary to understand the whole literature of his age; then we shall see that he knew how to make something even out of that which was most perverse. The elder Pliny, though he had quite a different mind, belonged nevertheless to the same school, which constitutes what is commonly called the *argentea aetas* of Roman literature. This division of Roman literature is very foolish; it should be made in quite a different way. It is nonsense to put together such men as Tacitus, Seneca, and Pliny, who have no resemblance whatever to one another. This period of Roman literature begins as early as the reign of Augustus, and extends to that of Domitian, when the nonsense reached the highest pitch, but the works of the coryphaei of this latter

period, such as Aufidius and others, are lost. Tacitus does not belong to this class, for the school of the earlier writers continues alongside of the new one.

Seneca was a highly ingenious man, which after all is the main thing, and his influence upon the literature of his country was very beneficial. I must say this the more, the less I like him. Dion Cassius' judgment of Seneca contains much that is true and correct; but he exaggerates in his censure,<sup>1</sup> and is altogether unable to perceive that Seneca rises like a giant above all his contemporaries. In his affected and sentimental style he bears a remarkable resemblance to a French school, which may be traced to Rousseau and Buffon, and the faults of which would be quite unbearable, if it did not proceed from extremely ingenious men. There is an interesting work by Diderot,<sup>2</sup> which shews us the great contrast between the manner in which the philosopher is viewed by the learned Diderot, and by Dion Cassius, the practical man of the world; Diderot's style is similar to that of Seneca, he too being under the influence of his age.

Lucan belongs to the time of Nero, and his poetry proceeded from the school of Seneca. His example shews us how much more intolerable its tendency is in poetry than in prose. Bernardin de St. Pierre and Chateaubriand are the offspring of a similar school; it would be more bearable if it did not venture upon anything but sentimental moralising as in the case of the former; but Chateaubriand is a perfect *pendant* to the bad poet Lucan. This is not yet generally recognised indeed, but the opinion which now prevails in regard to his merits cannot continue. Nero, who was unquestionably a man of talent, belonged to the same intolerable school as Lucan, who maintained his place in public favour till a late period of the middle ages, and was read almost as much as Virgil. Scholars were divided into two schools,

that of Virgil and that of Lucan. In prose the same tone was adopted in history; and Fabius Rusticus, who was so much read, wrote no doubt in the manner of Seneca. Quinctilian was the real restorer of good taste in literature, and he cannot in any way be classed among the writers of the *argentea aetas*.

The condition of Rome and the empire after the death of Claudius appeared to be tolerably good; it is certain that during the 80 years from the battle of Actium, the provinces with their great vitality, when they were not visited with destruction and ravages, enjoyed material prosperity, and the towns became filled with large populations. The extortions of Caligula were indeed very hard; but still they did not impede the quiet development of the resources of the empire. After the wars, the population was certainly more than doubled; towns and deserted places again became peopled. Unhappy Greece however was a desert till the time of Trajan. Countries which had fallen into the hands of the farmers-general (who used them as pastures, prevented all cultivation, and did not restore the towns), became deserts, though they were gardens compared with what they were at the time of the battle of Actium. Italy too had not yet recovered from its former desolation. Agriculture was there carried on by slaves, by the introduction of whom the population was indeed restored, but in a very different way from what it was in the provinces, where it increased by *ingenui*. There is no exaggeration when Lucan says of Italy: *Rarus et antiquis habitator in urbibus erat*. Marriage still continued to be disliked by most persons, although it could be so easily dissolved. Men generally lived in concubinage with their female slaves; and their children were the offspring of such connexions, for which reason they are called in inscriptions *liberti*. The celebrated lex Julia and the lex Papia Poppaea, though necessary measures, were of little avail; for the state of morality among free women was still so

<sup>1</sup> lxi. 10.

<sup>2</sup> Essai sur le Règne de Claude et de Néron.—N.

dissolute, that an honest man generally found a more faithful friend and companion in his female slave than in a Roman lady of rank, and therefore considered it as a matter of conscience not to marry. The number of libertini and slaves thus increased to a prodigious extent, and was far greater than that of free-born persons. In addition to this, there were hosts of purchased slaves in the houses of the nobles. This, however, was not the case in the provinces, where the *parsimonia provincialis* still prevailed. Their population consisted of *ingenui*; and they, moreover, received new life and a supplementary population through the military colonies. Such soldiers, who were otherwise little better than robbers, might turn out quite honest people when they acquired a home of their own. The soldiers made the use of the Latin language more general: and this was a great good: for the languages of the subject-countries were mere jargon, and the provincials themselves wished to give them up, whereby their position did not become worse: their object was, and could be, no other than to become Romans. The military colonies probably did not exercise a very demoralising influence upon the provincials, since we find that the vital energy of the provinces became gradually restored, even in the midst of their military despots; and a governor against whom a charge was brought could not now purchase his acquittal; at least not under Tiberius, as had been so frequently the case during the latter period of the republic.

After the death of Claudius, Nero, then seventeen years old, ascended the throne; but whether Claudius had appointed him his successor in his will, or whether he had made any regulation in favour of Britannicus, is one of those questions on which we can form conjectures only. Nero was a pupil of Seneca and Burrus, and we have every reason for believing that he was a person of great natural talents, especially for music, art, and mechanics. The history of his reign is so well known, that to enumerate its events would be only repeating that which is

familiar to every one of you; and those who do not know the history may read it in Tacitus. At first his reign raised the most happy expectations; but, even then, the intelligent found it difficult to believe that they would be realised; they were convinced that the offspring of a viper must have the nature of a serpent. Nero was the son of Agrippina, the unworthy daughter of Germanicus, but the true sister of Caligula. Her husband, Cn. Domitius Ahenobarbus, was no better than herself; and, after the birth of Nero, he himself said to his congratulating friends, that his and Agrippina's offspring could be nothing but a monster.<sup>3</sup> The whole of the Roman world shared this apprehension with him, and hence the general astonishment of the Romans during the first years of Nero's reign, when he conducted himself as the disciple of Seneca and Burrus. Burrus was a stern man and of a genuine virtue: he was an able warrior, and Nero appointed him *præfectus prætorio*. Seneca, on the other hand, was an accomplished man of the world, who occupied himself very much with virtue, and may have considered himself to be an ancient Stoic. He certainly believed that he was a most ingenious and virtuous philosopher; but he acted on the principle that, as far as he himself was concerned, he might dispense with the laws of morality which he laid down for others, and that he might give way to his natural propensities. The influence of these two men upon Nero produced decided effects during the first years of his reign. They had to counteract the evil influence of the courtezans by whom he was surrounded, no less than that of his mother Agrippina. Burrus acted from his desire to promote the public good; but Seneca may have been actuated by his knowledge that he was hated by Agrippina.

The fair dream of Nero's amiable character did not last long. His two guides were very soon got rid of. Things gradually took a different turn,

<sup>3</sup> Sueton. *Nero*, 6.

and the licentiousness in which he had lived from his earliest youth, the influence of the beautiful but dissolute Poppaea Sabina, the wife of M. Salvius Otho, and the far more injurious influence of his mother, produced the complete degeneracy which we afterwards find in Nero. When this change began to shew itself is uncertain. Burrus and Seneca endeavoured to counteract the evil influences to which Nero was exposed, though from different motives. All this is described by Tacitus. I will not speak of Nero's degeneracy and his boundless profligacy; they are too well known, and his name alone is sufficient. He resolved to murder his mother, who had provoked him; and, after one attempt had failed, he carried his plan into effect. In this Seneca is said to have assisted him,<sup>4</sup> on account of the personal enmity existing between him and Agrippina; and it is a fact that the speech on her death, which Nero ordered to be read in the senate, was the work of Seneca.<sup>5</sup>

It is well known that after the murder of Agrippina, Nero abandoned himself more and more to bloodshed, and delighted in it. Tacitus<sup>6</sup> does not consider it a well attested fact that Nero set fire to the city of Rome, and it may indeed have been no more than a report. The fact of his ascending the tower of Maecenas to look at the calamity, and, in tragic attire, singing at the same time the *Ἰλίου ἄλωσις* to the accompaniment of the lyre, merely shews his madness, but does not prove that he was the author of the fire; at any rate, however, it gave him pleasure to have an opportunity of rebuilding the city. This conflagration, which raged for six days and seven nights, is an important event in the history of Rome; for an immense number of monuments of every description, historical documents, works of art, and libraries perished.<sup>7</sup> More than half

of Rome was destroyed, or at least greatly damaged; and after the catastrophe the city assumed an aspect totally different from what it had worn before. The new streets which were now built were made straight, and broader than before, and took different directions from the old ones. After the fire was over, Nero, with his usual unbounded extravagance, began restoring the city, and extorted the means from all parts of the empire. He built his so-called "golden palace," extending from the Palatine, where Hadrian afterwards built the temple of Venus and Roma,<sup>8</sup> to what are called the baths of Titus (more correctly of Trajan). Vespasian afterwards caused it to be destroyed, on account of the recollections connected with it. Some of its walls may yet exist in the substructions of the baths of Titus. It was a magnificent piece of architecture, covered over with the most beautiful marble. We must conceive it to have been something like an oriental fairy palace. In the midst of the city, on the site now occupied by the Colosseum, Nero had a large pond dug out for the purpose of exhibiting naumachiae.<sup>9</sup> Soon after this event, Nero ordered Seneca to be executed; and the manly death of the philosopher somewhat atones for his former conduct. Barea Soranus and Thrasea Paetus were likewise put to death. Arria, the wife of the latter, set her husband an example of a courageous death. The conspiracy of Calpurnius Piso, in which Seneca, perhaps with injustice, was said to have been an accomplice, was undertaken without the support of the army, and was merely a plot which had been concerted at court.

During the reign of Nero, the frontiers of the empire were no longer in

century of our era, was in like manner most injurious in its consequences to Greek literature.—N.

<sup>8</sup> This name has been supplied here by conjecture; the name not being legible in the MS. notes. For the correctness of the conjecture, see *Beschreibung der Stadt Rom*, vol. iii. i. p. 104.

<sup>9</sup> Martial, *De Spect.* ii. 5.

<sup>4</sup> Tacitus, *Annal.* xiv. 7.

<sup>5</sup> Tacitus, *Annal.* xiv. 11; Quintilian, viii. 5, § 18.

<sup>6</sup> *Annal.* xv. 38. Comp. Sueton, *Nero*, 38.

<sup>7</sup> The great fire of Constantinople, under Leo Macellus (Basiliscus?), in the fifteenth



the state of peace and tranquillity which they had enjoyed under Claudius. The Romans had established themselves in Britain, and had constituted a part of the island as a Roman province. This establishment of a province was the more oppressive to the natives, as, the country being poor, it was only by great extortions that anything of importance could be gained. The oppression led to an insurrection under the great British Queen Boadicea (according to Dion Cassius, Bunduica), a woman of a truly heroic character, in which the Roman armies were at first completely beaten. Their fortresses were destroyed, two of their towns were taken, and many Romans were taken prisoners: at last, however, the Britons were with great difficulty defeated by Suetonius Paulinus, and Boadicea put an end to her life. The Britons were compelled to submit; and preparations were now made for the conquest of all England, of which the Romans were already masters, except Yorkshire, Lancashire, and the northern counties. Anglesea was Roman.

Another war which occurred in the reign of Nero, is that of Corbulo against the Parthians in Armenia; where a younger branch of the Arsacidae was on the throne. Corbulo conducted it with uniform success; he took Artaxata and Tigranocerta; and the Parthian king, Vologaesius, was obliged to sue for peace. Tiridates, the last king of that family, was compelled to go to Rome, and consent to hold his kingdom as a fief of the Roman emperor; he was received at Rome in the most magnificent manner,

and obtained the diadem from Nero. This visit of Tiridates to Rome is one of those occurrences, the remembrance of which was preserved by tradition even in the middle ages; for it is mentioned in the "*Mirabilia Romae*;" and it was said that Tiridates had brought to Rome, as presents, the statues of Castor and Pollux, works of Phidias and Praxiteles; but there is, of course, no foundation for this story. The reward which Corbulo received for his victories, was—death. He was an unambitious, faithful, and conscientious Roman, who kept his faith even to a Nero.<sup>10</sup> His bust was discovered about forty years ago, and shews noble features.

Nero went on from one act of madness to another. I am inclined to believe that his conduct was not all moral wickedness. There seems to have been hereditary insanity in the family; and there can be no doubt that he was mad, though not in the same degree as his uncle, Caligula. Many of his acts are merely contemptible. His travelling about in Greece, and taking part in the musical and poetical contests, would have been very harmless amusements; but while he flattered the Greeks, he robbed their country of the finest works of art. The *praefectus praetorio*, Tigellinus, who had succeeded Burrus, was then the most detestable among the persons who had influence over the emperor; but the insurrection of C. Julius Vindex and Sulpicius Galba delivered the world from him.

<sup>10</sup> Dion Cass. lxi. 17; Tacitus, *Hist.* ii. 76.

## LECTURE CXXVII.

THE Roman world had borne Nero's tyranny for twelve years, when the first attempt was made to get rid of it. A previous conspiracy of Calpurnius Piso, in which Seneca had perished, was only a court conspiracy,

in which the troops took no part. Nero had undertaken his journey to Greece from sheer vanity, for the homage of the Greeks was his highest ambition; but while he was getting himself crowned everywhere as a

victor in the public games, an insurrection broke out in Gaul, under a noble Aquitanian, C. Julius Vindex,<sup>1</sup> who had the rank of a Roman senator, and brought about the revolt by his wealth and influence. This insurrection was of a different nature from the one which had occurred in the reign of Tiberius, when the Gauls hoped to recover their independence; for now their only intention was, as Romans, to throw off the yoke of a tyrant which pressed down the Roman world, but not to separate Gaul from Rome itself. Vindex met with very great sympathy, and his influence spread from Aquitania as far as Besançon. The history of this time is in a deplorable condition; for the part of Tacitus' *Annals*, in which the detail of this insurrection was described, is lost, and we are confined to Xiphilinus' abridgement of Dion Cassius. Rome had yet its distinguished men: Corbulo had fallen shortly before, but T. Virginius Rufus, the commander of the German troops, was also a true patriot, and one of the few distinguished and disinterested persons that Rome then possessed. He met Vindex at Besançon; and fearing lest the insurrection, although its object was only the delivery of Rome, would lead to a dissolution of the empire, he concluded a truce, in which both generals agreed upon recognising the authority of the Roman senate. The German troops wanted to have Rufus for their emperor, but he declined the honour; a tumult however broke out between the two armies during these transactions, and Vindex fell a victim to it.

Spain was at that time very badly provided with troops, and had in

reality only one legion, which, together with a number of veterans, who might be formed into a militia, was under the command of Servius Sulpicius Galba. While the events just described were taking place in Gaul, he was proclaimed emperor by the soldiers. He belonged to one of the most distinguished Roman families.<sup>2</sup> Little is known about Galba's character, and if we were confined in his history to the account in Suetonius, who had evidently no clear notion of characters, and merely relates lively and pleasant anecdotes, we should be in considerable difficulty to know what to think of him. The beginning of Tacitus' *Historiae* however throws some light upon him; and this much is clear, that Galba was esteemed by the army; that, in his younger years, he had been a distinguished general, and, considering what men then were, an unblemished governor of several provinces. But he had already attained his seventy-first year when he was called to the throne, and by this time he had come under the influence of unworthy persons, especially his own freedmen. This kind of petty courts of freedmen, which arose about and after the death of Nero, greatly contributed to the depravation of the character of the Romans. The exasperation against Nero had spread into the most distant provinces; it was shared by all, except certain horrible persons, who were not few and who were pleased with his proceedings. When Galba was proclaimed emperor, he formed new legions out of the soldiers that he could muster in his province, both Romans and Italicans, and set out towards the Alps. According to the obscure accounts we have, it seems that he acted as if the Gauls were rebels against the majesty of the Roman senate, although they had risen under Vindex, only against the tyrant;

<sup>1</sup> Nearly all the Gauls that are mentioned under the empire bear the gentile name of Julius,—just as in Asia many have the gentile name of Claudius—because they had obtained the *civitas* either from Julius Caesar or Augustus. This uniformity in the names has been the cause of much confusion, especially in the second century. Cn. Julius Agricola was indeed born in the Roman colony of Forum Julii; but I believe, nevertheless, that he belonged to a Gallic family, a circumstance which is not mentioned by Tacitus.—N.

<sup>2</sup> The praenomen Servius had already assumed the character of a real name as much as Appius with the Claudii, and hence we sometimes find Servii Sulpicii with another praenomen before Servius, which is properly an error, but can be understood.—N.

hence he allowed his soldiers to plunder the towns in southern Gaul. Virginius Rufus and his army recognised him as emperor, and both crossed the Alps by different roads. Although Nero was surrounded by his praetorians, yet no one drew a sword in his defence, and he found himself forsaken by every body, even before the revolted armies arrived. The senate was roused from its state of servitude ; it defied and despised the tyrant, as he deserved. He fled from his palace, concealed himself in the house of one of his freedmen, and with a reluctant hand inflicted a deadly wound upon himself. Many sentences of condemnation were passed upon him and his memory ; but he nevertheless obtained an honourable burial, A.D. 68.

Galba now entered Rome ; and if he had acted only with a little more liberality, things would have gone on well enough ; but he offended all parties. He protected some of Nero's associates against public animadversion, while others were punished. He was miserly also : economy was certainly necessary, but he carried it too far. The troops were already accustomed to receive their donatives, and they had been promised very munificent ones by the friends of Galba ; but he now gave them with a niggardly hand. The praetorians received none at all ; he even showed them hatred and mistrust, and yet he dismissed his soldiers with the exception of a few whom he quartered in the city, although he must have known that his life was in the hands of those 10,000 praetorians. He ought to have disbanded them, and put to death their seditious leaders who had taken an active part in the horrors of Nero's reign ; he should then have formed them into a new corps, or have abolished them altogether. But he placed himself in the same situation as the Bourbons, when they threw themselves into the hands of the army, which did not want them.

M. Salvius Otho, who, to the disgrace of those times, was the most powerful man in the city, had no illus-

trious ancestors, and was a dandy, a character which in antiquity displayed much worse features than in modern times. He had been the associate of Nero in many of his vices ; and his success in life was the result of Nero's favour : but it is doubtful whether he also took part in the bloodshed in which Nero indulged. He was rich, and his manners were graceful, or what people call amiable : his conduct was of that popular kind, which exercised the greatest influence upon the disposition of the praetorian cohorts. These men seemed to think that Otho alone could make up for their Nero, whose munificence they began to miss, and he contrived to strengthen them in this belief. Galba, in his short reign, had to contend with several insurrections ; for the German troops, under A. Caecina and Fabius Valens on the upper Rhine, refused to recognise him ; and in these difficulties he endeavoured to strengthen himself by adopting a young Roman of rank, Piso Licinianus, a person who had nothing to boast of, except his noble descent and his unblemished personal character. But Galba had lost the attachment of all rational men through his meanness, and the influence of his freedmen, Vinus, Laco, and Icelus, who in his name made the most shameful abuse of justice, and sold it for money. Galba may be reckoned *inter bonos et malos principes*, and might perhaps have been a good prince altogether, had he not been prevented by the foibles of old age. Otho had calculated upon being adopted by the emperor ; but the old soldier had too great a love of his country to think of such a thing. The disappointment led Otho to the deepest dissimulation, by which he succeeded in inducing the praetorians to recognise him as emperor, as soon as he called upon them to do so. The city was then quite open ; they marched into it, and towards the Forum. Galba, who appeared with Piso, in the hope of making an imposing impression on the rebels, was cut down, before the German troops, who were stationed at Albano, had time to come to his assistance ; and Otho was proclaimed em-

peror. Galba had ruled eight or nine months.

Unworthy as the senate then was, it yet abhorred Otho. The Germans on the frontier of the Rhine, in the mean time, proclaimed emperor their commander, A. Vitellius, a man who was far more vulgar and vicious than Otho. It is superfluous to speak here of his brutal manners and his beastly voracity. It is inconceivable how Galba could have given him the command over the troops in Germany. He was now fifty-seven years old, and enjoyed a certain popularity which had been transferred to him from his father, L. Vitellius, who had been thrice consul and once censor in the reign of Claudius.<sup>3</sup> Vitellius, the father, must have been a good-natured man, but he had degraded himself by the basest flattery towards Claudius; he was, however, no one's enemy, and hence was liked by the people. His son, on the other hand, had spent all his life in the basest vulgarities, and brutal sensuality. It may be that A. Caecina and Fabius Valens proclaimed him only with the view of stripping him of his dignity soon after, and of then seeing which of them might succeed him. Vitellius was lavish towards the soldiers, and ingratiated himself with the German legions by granting them everything they asked for, while the aged Galba gave them only that which was absolutely necessary. This army now quickly set out for Italy; and the speed with which they marched is a proof no less of the immense mobility of the Roman legions than of the excellence of the Roman roads. Otho formed an army. Vitellius was opposed on the frontiers by the legions of Moesia and Pannonia, which thought it arrogant on the part of the German troops to force an emperor upon them. Accordingly they supported Otho, who could also calculate on the legions of the East, where no insurrections had yet taken place. Italy was the most defenceless part of the empire, for it contained few troops besides the praetorians; and Otho, with these cohorts,

quickly marched to the north of Italy to meet the Germans. A. Caecina and Fabius Valens, however, descended from the Alps before Otho with his hastily collected forces arrived on the banks of the Po. In the first engagement Otho was successful; and if he had endeavoured to protract the war, things might have turned out differently; for his treasury was much better stocked than that of his enemy, and he might have considerably reinforced himself. But he unfortunately resolved to fight a decisive battle at Bedriacum, in the neighbourhood of Cremona, and lost it completely. The question however was not yet quite settled; and, if Otho had withdrawn to the fortified places in the neighbourhood, he might still have had time to assemble a fresh army. But he would not continue the war. Instead of doing so, he put an end to his life, and advised his friends to become reconciled to the conqueror. This occurred on the ninety-fifth day after his elevation to the imperial throne, and in the thirty-seventh year of his age. The last act of Otho is praised by Suetonius,<sup>4</sup> and other historians after him, as noble and virtuous; but I look upon it in a different light, and can see in it nothing but the action of a man who has sunk to the lowest stage of effeminacy, and is unable to struggle against difficulties, or to bear the uncertainty between fear and hope. Such characters are met with in the lower as well as the higher spheres of life; for there are many persons who would rather lose a great deal of money, than undertake the trouble of litigation. I look upon Otho's putting an end to his existence with the same contempt with which Juvenal regards it; and it is quite certain that Tacitus too, in reality, did not estimate Otho any higher than I do; for we must remember that a great historian, in describing a tragic event in a man's life, rises to a state of mental emotion which is very different from his moral judgment.

On his arrival in Rome, Vitellius

<sup>3</sup> Tacitus, *Hist.* i. 9; Sueton. *Vitell.* 2.

<sup>4</sup> *Otho*, 10, foll.



took possession of the imperial palace, and assumed the appearance of intending to avenge the murder of Galba, against whom, however, he himself had in reality revolted; and accordingly he ordered upwards of a hundred praetorians to be put to death. If we overlook his personal character, which was contemptible, things did not at first go on as badly as had been anticipated. Peace, however, was soon (A.D. 70) disturbed again; for the legions in Moesia thought it a great insult that an emperor had been set on the throne without their consent. They had been destined to come to the assistance of Otho, and now rose against Vitellius. They were roused and stimulated by the ambitious and enterprising Antonius Primus. At the same time, Vitellius was informed that the Syrian legions under T. Flavius Vespasianus, and the Parthian legions under the command of Mucianus, refused obedience to him. Those armies, however, were far away, and had enough to do in the East, the one against the Jews, the other against the Parthians; and could not go to Italy without exposing those parts of the empire to the invasion of the Parthians. Similar consequences might have followed the withdrawal of the troops from the Rhine and the Danube; and it is an unaccountable phenomenon that it was possible for the Romans to remove their troops from those frontiers, without any attempt being made by the Germans to cross the rivers and invade the Roman dominion. There are, it is true, some traces of treaties having been concluded with the Germans; but the mystery is, that those treaties were kept. As far as the country in our neighbourhood is concerned, we know little of the period subsequent to the reign of Caligula; but peaceful relations seem to have been established; and the Germans appear to have had no inclination to undertake a war. Although it was not till a later time that a ditch, with an earthen wall surmounted by palisades, was drawn from the river Sieg to the Altmühl, yet the country between the Upper Rhine and

the Danube must have been under the dominion of Rome as early as the time of Vitellius.

T. Flavius Vespasianus, with all his faults, was the true restorer of the state, a fact which has never yet been sufficiently acknowledged. He did indeed things which are a stain on his character, that can never be wiped off; but if we take him as he was, and consider what could be expected, we shall find great excuses for his faults. In the reign of Vitellius he was engaged in the Jewish war; the Jews had risen as early as the reign of Claudius, in consequence of ill usage and usurpation. The war which thus arose ended with the destruction of Jerusalem. There are few wars which so much deserve the attention of posterity as this; and I should very much like to relate to you its history, on account of its fearful greatness, but our limited time does not allow me to follow my inclination. The history of the Jewish war can be made profitable only by a careful study in detail of the state of parties among the Jews, of their sentiments and the like—and these things belong to a history of the Jews rather than to Roman history. I refer those who wish to make themselves acquainted with it, to the work of Josephus, which, with all its offences against the correctness of the Greek idiom, is one of the most interesting histories that have come down to us from antiquity. The writings of Josephus deserve to be recommended to the study of every scholar and theologian; his history of the Jewish war is, next to Caesar's Commentaries, the most instructive work we possess, especially in regard to the tactics of the Romans and the art of besieging. Josephus was a Pharisee, and although he was unquestionably a better man than the majority of that sect, which is so severely characterised in the Gospels, yet the Pharisaic element was in him. Hence he is often untrue, and his Archaeology abounds in distortions of historical facts, and in falsifications, which arise from his inordinate national pride. In his account of the Jewish war, he displays many of the

peculiarities of an oriental writer, and wherever he deals in numbers, he shews his oriental love of exaggeration; some of his numbers are manifestly impossible, and you must not allow yourselves to be misled by them. His oriental nature is visible everywhere, notwithstanding his Greek education. It is remarkable how well he writes Greek, if we except some standing errors which constantly recur. His name in our manuscripts is Flavius Josephus, but his full name, which he undoubtedly derived from the emperor who made him his prisoner, and afterwards emancipated him and gave him the Roman franchise, was Titus Flavius Josephus.

When the insurrection against Vitellius broke out, Vespasian was engaged with a powerful army in Judaea, where the Jews offered a desperate and heroic resistance. He was descended from an obscure family; and as he himself possessed no vanity, no one took the trouble to invent illustrious ancestors for him, although Flavii occur in the early history of the republic. His grandfather, however, had somewhat risen from his obscurity. Vespasian had at this time arrived at the age of sixty. During the frightful period of the reigns of Caligula, Claudius, and Nero, he was fortunate enough to escape; but he was obliged to put up with many unpleasant things, and at the time when the empire was reduced to a state of perfect servitude, he too had been under the necessity of acting the part of a slave, but had done it always with reluctance. He

was a good general, and had gradually risen without any one being able to charge him with rapacity or cruelty,—a feature which deserves the greater admiration, as he is said to have been naturally fond of money. He had thus conducted himself with *innocentia*, at a time when there was neither a lack of good generals nor of wars in which they could develop their talents. His family belonged to the town of Nursia, the birthplace of Sertorius, among the high Sabine mountains. The *Nursina duritia* of which Fronto<sup>5</sup> speaks, must be applied to Sertorius and Vespasian. In the country about Nursia, the old Italian families had preserved their character as sturdy peasants. Vespasian was universally known and honoured in the Roman armies, for he had all the virtues of a general, and had not been affected by the vices of the higher classes among the Romans. Licinius Mucianus, the governor of Syria, on the other hand, belonged to the Licinii, one of the noblest families: he was also connected with the Mucii; but descent from an ancient family was at that time of no importance at Rome. Mucianus felt this, as well as that he was inferior to Vespasian (for he was effeminate). They were in fact very different from each other, and had formerly not been on good terms, but Mucianus now offered to the stern and severe Vespasian his hand in token of reconciliation, and readily assisted in raising him to the throne.

<sup>5</sup> *Principia Historiae*, p. 242, ed. Niebuhr. Compare Lecture c. p. 572, foll.

## LECTURE CXXVIII.

MUCIANUS was a man of rank, and without being wicked, had all the vices of his age. He had little ambition, and preferred being under an emperor to being emperor himself, which dignity seems to have had no charms for him. Vespasian, on the other hand, was free from the faults of the higher

orders, and rather possessed the virtues peculiar to the lower classes. He had recognised Galba as emperor without any hesitation; but after Galba's death the thought occurred to him to seek the imperial dignity for himself, for he must have been conscious that he was fit for it, and that the attention of the

Roman world was directed towards him. When, however, the insurrection against Vitellius broke out, Vespasian was not under the necessity of coming forward himself; for Antonius Primus, who placed himself at the head of the revolted legions of Moesia and Pannonia, marched into Italy, and conquered the generals of Vitellius in the neighbourhood of Cremona. At Rome too the insurrection had now broken out. T. Flavius Sabinus, the brother of Vespasian, who was praelect of the city, and Domitian, the younger son of Vespasian, were at Rome, and were looked upon by the Vitellian party as hostages for Vespasian. The conduct of Vitellius towards them was vacillating. The first movement irritated him; afterwards, on being terrified by the report of the battle near Cremona, he tried to capitulate, and was ready to surrender his power; but when he observed some symptoms which seemed to announce a change in his favour, he attempted to make Sabinus and Domitian his prisoners. They fled to the Capitol, which was taken and set on fire; and Sabinus was cut down during the massacre. Domitian escaped with great difficulty. Rome was in a state of perfect anarchy. At that time, an emperor resigning his throne could not save his life; because there were no convents as in the time of the Byzantine empire. The party of Vespasian, which was gradually formed, gained fresh strength every day; and the victorious army, under Antonius Primus, advanced irresistibly towards Rome, where the maddest excesses were committed on both sides. The city was quite defenceless, and fell into the hands of the conquerors. Vitellius was murdered after a reign of about eight months.

I believe that Domitian was at this time about twenty years old. He took the power into his own hands: His elder brother, Titus, was left by Vespasian in Judaea; and, as the latter did not arrive in Italy for some time, Domitian exercised the imperial power in his name. During his father's absence he committed many acts of cruelty, from a desire to take ven-

geance on his personal enemies, rather than to punish any real offences. You may read all these occurrences in Tacitus,<sup>1</sup> whose account of them is the most perfect that one can wish for; but, unfortunately, it does not extend beyond the first year of Vespasian's reign. Vespasian had much in his character that was good, but the moral depravation was as great among his partizans as among those of Vitellius; just as, during the latter period of the Thirty Years' War, when the Swedish generals, such as Banner and Torstenson, were no better than the French commanders or those of the imperial armies. The sad deeds of those small men are excellently described by Tacitus, who does not make any one of them his hero; whereas many historians allow themselves to be led away by the interest they take in a particular person.

Vespasian did not arrive at Rome till about the end of the summer A.D. 70; though Vitellius had been killed in the previous December, a circumstance which was not without unfortunate consequences. Rome was governed, during that time, by a dissolute and tyrannical young man; for Domitian already displayed the vices and passions which characterise his later years. Some of the senators, especially Helvidius Priscus, a man who was ill-suited to the age in which he lived, allowed themselves to be drawn into an improper opposition to the government,<sup>2</sup> which was unfortunate, no less for them and for Vespasian, than for the empire.

While the armies were advancing from the frontiers to Italy, a state of feeling became developed in Gaul, of which some symptoms had appeared as early as the reign of Tiberius, when the Aedui had attempted a perfectly senseless revolt under Julius Sacrovir. What Gaul wanted was perfectly impracticable. Traces of this national Gallic feeling, which was now spreading, may be discerned even in the insurrection of Julius Vindex. People

<sup>1</sup> *Hist.* iii. 86; iv. i, foll.

<sup>2</sup> Tacitus, *Hist.* iv. 5, foll.

may praise Virginius Rufus as much as they like; but I believe that the thought of murdering Vindex arose from the knowledge that he was a Gaul, which places the act in a morally bad light. His death, far from pacifying the national feeling of the Gauls, was a fresh stimulus to it. The prosperity of Gaul must have been increasing ever since the time of Julius Caesar, especially in the south, as we may gather from Pliny's account of Gallia Narbonensis; and the same was probably the case in the northern parts of the country. We have certainly no adequate notion of the state of Gaul under the Romans; for all our knowledge of it is confined to what we learn from Strabo and Pliny, who speak only of single *civitates*, small towns not being mentioned at all; and the internal condition of the country is nowhere described. In history, Gaul is not mentioned, except by Tacitus at the beginning of the insurrection of Claudius Civilis. After that event, it again disappears from history until the end of the third century, when all we learn of it is contained in the meagre accounts of the writers of the "Historia Augusta," and the Itineraries, which are mostly confined to a few places on some high roads. Hence D'Anville's map of Gaul, which is otherwise most excellent, looks like a map of a country which has only just received some settlements, and is beginning to be brought into cultivation.<sup>3</sup> But this is the consequence merely of the scantiness of our information. Gaul, under the Romans, was a well-cultivated country, with a very large population; for, in many parts of France, we find most extensive ruins of towns which we cannot identify, except in a few instances by means of Itineraries. For instance, splendid ruins of a town, with theatres and the like, were laid open a short time ago in the neighbourhood of Montpellier; and there is only one Itinerary in which we

find a badly-written name that may be applied to the place. Many accidental discoveries, which have been made in Valenciennes and Normandy, shew that there once existed in them towns of great extent and large population. In order to obtain a somewhat complete geography of Gaul, the documents of the Merovingian and Carolingian periods ought to be carefully studied; and any one who would undertake such a work would be well rewarded for his trouble. The towns of which we now find the ruins were certainly not built after the period of the Roman dominion; that was an age of destruction. They must have been founded at a much earlier time; and their names, so far as we can discover them, are ancient Latin or Gallic. Previously to the time of Julius Caesar, the prosperity of Gaul had been nearly destroyed in the Cimbrian war; and in the wars of Caesar, the country was again fearfully ravaged. But after them there followed a period of more than a century, during which the country enjoyed profound peace, and recovered from its former devastations, though it was perhaps heavily taxed. The population of a country like France, which is so much blessed by nature, and enjoys such a mild climate, must have become doubled or trebled during that time, and must have acquired great wealth. The northern districts, though politically under the dominion of Rome, did not, in reality, belong to Gaul, and had very few towns. Our country here on the Rhine, which was occupied by Germans at the time of Caesar, and probably even much earlier, did not keep pace with the civilisation of Gaul, and was certainly not as wealthy. It very much resembled the rest of Germany: it had a numerous population, and many villages; but scarcely any towns. Its population has very unjustly been considered as Gallic. It has been entirely German ever since the time of Caesar, and probably even earlier. It never belonged to Gaul, and was connected with it only politically under the Romans. A frontier had there been formed between the Romans and Ger-

<sup>3</sup> His maps of Eastern countries are quite different; for there he possessed a very minute knowledge of some districts, from the Macedonian time down to the fifth and sixth century; whence the maps of Asia Minor and Syria are full of towns.—N.



mans, either by a treaty or tacitly. The country of the Batavi between the Meuse and the Waal, the *insula Batavorum*, was under the dominion of Rome. It had Roman garrisons, but still had not yet adopted Roman civilisation; it was there that the insurrection of Claudius Civilis broke out. It spread all over the German provinces of the Roman empire and over Gaul, where the Lingones placed themselves at the head of it. This revolt was a very dangerous one; and the Germans on the eastern bank of the Rhine declared for it. But the success of the insurgents was checked by their want of unity, arising from their natural divisions; while some of them were zealous and others indolent, and all of them were more or less under the influence of petty jealousy; they had to fight against Roman generals who acted with great resolution. The Germans and Gauls, moreover, were not natural allies. Their objects were now the same indeed; but otherwise they were as foreign to each other as the Romans were to both of them: nay, it may be said that the Romans were more akin to the Gauls than the Germans; for the noble Gauls had adopted the Latin language, and Roman manners were generally established among them. In what manner the insurrection ended we know not, for the "*Historiae*" of Tacitus breaks off before the close of the war, and at a moment when we can only see that it is taking a different turn, and that the insurgents will probably be obliged to yield. The fact of their being actually subdued is seen from Xiphilinus' abridgment of Dion Cassius.<sup>4</sup> Before Vespasian's arrival at Rome, Domitian had marched against the insurgents, and had assumed the supreme command of the Roman armies in those countries; but he had no share in the conquest of the enemy, which was the merit of his father's generals.

Vespasian reigned upwards of nine years, and his government was thoroughly beneficial to the Roman world. As we are without the

guidance of Tacitus, it is not easy to come to a definite conclusion as to Vespasian's personal character; for the pictures of character which Suetonius draws are very obscure, and are made with as little judgment as those we meet with in the "*Scriptores Historiae Augustae*." Suetonius was a man of great learning, and did not write badly, but he had no survey of his subjects, nor any historical talent. His description of the time in which he himself lived is even worse than those of previous periods, in which he had the works of others whom he could follow; and this circumstance is the best evidence that he had no vocation to write history.<sup>5</sup> If we compare the praise which he bestows upon Vespasian with what he relates of him, we are at a loss to see how he can have reconciled the two things in his own mind; but it seems that many of the circumstances which he relates ought to have been omitted, as they were nothing but unfounded reports. There are only a few points in Vespasian's character which we may take for certain: in regard to all the others we are left in the dark. It is a fact beyond all doubt that, considering the time in which he lived, Vespasian was an excellent, straight-forward, and just man, in a negative sense, for he did not make himself guilty of tyranny; and in his reign there occur but few cases of extortion, things which were then of every-day occurrence in the Roman empire. His moral conduct

<sup>5</sup> I am inclined to think that Suetonius wrote his biographical history at a time when he was still very young, and before he obtained the office of private secretary to Hadrian (Spartian. *Hadrian*, xi); I have no doubt at all that his lives of the emperors were written previously to the publication of Tacitus' "*Historiae*," for otherwise the account of the anarchy after Nero's death, and the beginning of the reign of Vespasian, could scarcely have been as bad as it is. Wherever we are confined to Suetonius as our source of information we are very badly off; and throughout the history of the emperors our materials are bad. If we had Dion Cassius, we should not have much reason for complaining, but unfortunately a great part of his work is lost, and we possess only the miserable abridgment which Xiphilinus made of it.—N.

<sup>4</sup> lxxvi. 3.

was as unblemished as one could expect in those times. After the death of his legitimate wife, Flavia Domitilla, he lived in a marriage of conscience with Caenis, a woman of low birth, with whom, however, he was happy, and who seems to have been a very estimable person. He was therefore what we may call a man of very good moral conduct. He had, further, a disgust for the gluttony and awfully vulgar extravagance which had become customary among the Romans in culinary matters. The luxury of the wealthy was principally displayed in sumptuous repasts, on which they spent prodigious sums with a truly senseless prodigality. Vespasian himself had preserved his old simplicity; and during his reign he not only set a good example in this respect, but endeavoured to check the disgusting habits of the Romans by legal enactments, whereby, as Tacitus justly observes,<sup>6</sup> he brought about a change in the mode of living among the Romans, which deserves to be mentioned in history. That contemptible gluttony had commenced at Rome during the latter period of the republic; but after the time of Vespasian it never rose again to such a height nor became so general as it had been before, for he destroyed it in its root, though Ammianus Marcellinus still records a few isolated instances which occurred in his time among wealthy and idle individuals.

Vespasian governed the empire with care and conscientiousness, and restored the finances. He showed no mistrust towards the governors of provinces; but at the same time protected the subjects against them whenever it was necessary. Vespasian was deficient in the feelings of a refined and educated man, and this was his and Rome's misfortune. He neglected altogether the higher and intellectual pursuits, and had a downright antipathy against persons of education, philosophers, and all those who were anything beyond practical men of business. Everything higher appeared to him superfluous and even as some-

thing hostile. Helvidius Priscus was, both personally and intellectually, one of the first men of Rome, and was distinguished as a Stoic philosopher;<sup>7</sup> but instead of recognising the good side of Vespasian's government, he abandoned himself to an opposition against it, for which I cannot see any sufficient reason, and which could produce none but evil consequences. The misfortune was that this conduct excited in Vespasian a bitter hostility towards him, in consequence of which he was put to death. The execution of Priscus is little better than a murder, in which Vespasian shed the noblest blood of the Roman state. But in other cases he did not stain his hands with blood; and where he had no such provocation, he was in reality a mild ruler. He was of a grateful disposition, and behaved with mildness towards Licinius Mucianus, many of whose actions he connived at. Antonius Primus was put to death, but he deserved it; for he had called forth the revolution which raised Vespasian to the throne, in the hope of ruling over him, but afterwards, finding himself disappointed, conspired against the emperor. Vespasian is charged by Suetonius with avarice; but we cannot say whether the charge is true. He is reported to have said that the state required for its maintenance *quadringenties millies*,<sup>8</sup> that is, upwards of 280 millions sterling. But this statement seems to have been written down by Suetonius without a thought, and shews how unfit he was to be an historian. Even if we conceive the Roman state to have been at that time as flourishing as, for example, France or Italy is at the present day, it seems inconceivable how such a sum could have been raised, considering the value which money then had. However, the sum is altogether an impossible one; nor can we see what it could have been

<sup>7</sup> The Stoic philosophy at this time had turned into a kind of republicanism, which was incompatible with existing circumstances. It abandoned itself to a petulance which produced very bad effects, and cannot be excused in any way.—N.

<sup>8</sup> Sueton. *Vespas.* 16.

<sup>6</sup> *Annal.* iii. 55.

wanted for. The army consisted of only 400,000 men; and although the pay of the soldiers was now treble what it had been in earlier times, yet the sum above mentioned is far greater than would be required to support such a force. It is true Vespasian spent much upon buildings, but building surely is not one of the real wants of a state. Vespasian raised not only structures which were absolutely necessary, but such as by their splendour adorned the empire; and whatever historians may say of his avarice, his incomparable architectural works, both at Rome and in the provinces, some of which, such as the Colosseum and the Temple of Peace, will last for ever, cannot be reconciled with his alleged love of money. He died at the age of sixty-nine, after a reign of nine years, A.D. 79.

During his reign, the government had, in reality, been conducted by his son Titus; but I cannot say whether this was because Vespasian thought himself incapable of ruling over the empire, or because he had no

inclination to do so. Titus had attained his thirty-second year when he returned from Jerusalem. It may be that many things which disgrace the reign of Vespasian must be put down to the account of Titus; for there seems to be no reason for doubting the statement that, previously to his accession, the general opinion was against him,<sup>9</sup> whatever contrast his own reign may have presented to his former conduct. The feeling towards him afterwards completely changed; but this *amor et deliciae generis humani* is nevertheless a strange phenomenon. It seems to have been extremely easy to please the circle by whom he was surrounded; and as his real happiness consisted in possessing their favour, he tried to win it by munificent presents out of the well-stocked treasury which his father had left him, and the administration of which Vespasian had reserved for himself.

<sup>9</sup> Sueton. *Tit.* 6.

## LECTURE CXXIX.

THERE is scarcely any other emperor whose reign was so truly beneficial to the Roman world as that of Vespasian. At the time when Titus was the object of the greatest suspicion in the East, Vespasian's noble openness formed an exception to the general distrust. He continued to show him confidence; and when Titus returned to Rome, Vespasian made him *præfectus prætorio*, and entrusted to him a considerable share in the government. This was by no means in the spirit of Eastern princes, who always feel the greatest mistrust towards their own sons. Titus, however, was far from popular during the lifetime of his father; and some acts of cruelty which were committed in the reign of Vespasian are ascribed to Titus. I

will only mention the murder of Caecina, who had acted a prominent part among the friends of Vitellius, and was cut down by Titus' command. This act, however, is said to have been justified by the evidence of a conspiracy against the house of Vespasian, which was discovered in Caecina's own handwriting.<sup>1</sup> The apprehensions commonly entertained in regard to Titus were not verified; for after his accession a change took place in his whole conduct, and the prevailing features of his character during his short reign were kindness and benevolence, features which are in a prince valued more highly than all other virtues. A sovereign who is not kind,

Sueton. *Tit.* 6.

and does not flatter, stands much lower in the estimation of the *imperita multitudo* than one who neglects his duties. Such has been the case at all times, and to some extent, at least, it seems to have been the case with Titus. His father had been very economical, whereas Titus was generous and even lavish; the former had spent money only in raising great and costly works of architecture. He had restored Rome, changed many of the senseless buildings of Nero, especially the golden house, and built the Colosseum, the most gigantic edifice of ancient Rome. If we consider that it was intended as an amphitheatre, it makes a sad impression on the mind; but it was in accordance with the taste of the Roman populace. It was not dedicated, however, till the reign of Titus.<sup>2</sup> The extravagant sums which were spent upon it, and the proceedings that took place in it under the later emperors, make upon us the impression of something monstrous and revolting, which is very different from the idea of greatness. Goethe has made some excellent remarks upon it in his "Farbenlehre."<sup>3</sup> But such prodigality and amusements were not confined to the time of the emperors; they had begun towards the end of the republic. The contests of the Colosseum were cruel and disgusting, and even women were trained and fought as gladiators; but Titus' humanity did not exert itself in that direction.

As far as foreign countries were concerned, the reign of Titus was perfectly quiet, and Rome was in the enjoyment of peace and comfort, only interrupted by a great fire, which lasted for three days and three nights, and by the eruption of Mount Vésuvius, which caused the catastrophe of Herculaneum and Pompeii. Ever since the time of the Greek settlements, that volcano had been at rest; but now it began its eruptions. Never has the calamity of one generation been more obviously advantageous to a later one than the burial of those two towns.

The love of the Romans for Titus became the more decided, as they had reason to fear his younger brother Domitian, concerning whom there could be no mistake. He was a bad son and a bad brother; he contemplated the murder of his father, but more especially that of his brother, who never attempted to avenge himself, but always treated Domitian with confidence.<sup>4</sup> But Domitian is, nevertheless, one of those men who are generally looked upon with too much contempt, because they are bad. There are bad persons in history who ought not, by any means, to be treated in that way. The charge of cowardice in war which is brought against him may be well founded, although there is no positive evidence of it; his falseness and cruelty, however, are both well attested. It is also true that, with all his boundless ambition, he did not accomplish anything to justify his pretensions; but he is nevertheless estimated too low; for he was a man of a cultivated mind and decided talent, and is of considerable importance in the history of Roman literature.<sup>5</sup> Rutgersius<sup>6</sup> has already remarked, and the proofs are manifest, that the paraphrase of Aratus, which is usually ascribed to Germanicus, is the work

<sup>2</sup> Sueton. *Tit.* 7; Dion Cass. lxxvi. 25.

<sup>3</sup> *Nachgelass. Werke*, vol. xiii. p. 68.

"The Romans had risen from the condition of a narrow, moral, comfortable and easy people, to that of rulers of the wide world, but without laying aside their own narrowness. And this may be regarded as the source of their love of luxury. Uneducated persons who acquire large property, naturally make a ridiculous use of it. Their pleasures, splendour and extravagance are always absurd and exaggerated. Hence that fondness for what is strange, extravagant and monstrous. Their theatres which were turned with the spectators in them, the second population of statues with which the city was crowded, are, like the later colossal pot in which the fish were to be kept entire, all of the same origin. Even the insolence and cruelty of their tyrants generally borders upon the absurd."

<sup>4</sup> Dion Cass. lxxvi. 26; Aurel. Vict. *De Caesar.* 11.

<sup>5</sup> Sueton. *Domit.* 2, 20; Tacitus, *Hist.* iv. 86.

<sup>6</sup> *Variae Lectiones*, iii. p. 276. Compare Grauert in the *Rheinisches Museum*, vol. iv, p. 347, foll.



of Domitian. He delighted in the name of Caesar Germanicus, and assumed it, because it was more illustrious than the Flavian name; but from the manner in which he mentions his father,<sup>7</sup> it is evident that he had not been adopted by Germanicus. I believe that the poem was written in the time of Titus; its subject is poor, but it is executed in a very respectable manner. Quintilian is full of flatteries towards Domitian,<sup>8</sup> and in this case he had the misfortune, from cowardice, to act the part of a slave towards a despot. If Domitian really made the paraphrase, Quintilian's exaggerated praise is the conduct of a servile man, though the blame does not attach so much to his personal character as to a despotic court; and he surely did not praise a work which was quite bad merely from servile flattery. Domitian's taste for Roman literature, however, produced its beneficial effects. He instituted the great pension for rhetoricians, which Quintilian, for example, enjoyed, and the Capitoline contest, in which the prize poems were crowned.<sup>9</sup> During this period, Roman literature received a great impulse, to which Domitian himself must have contributed. Tacitus, the greatest historian, at least in Roman literature, was then a young man. The younger Pliny was growing to manhood; and however much we may blame him, there were many highly educated persons at the time who wrote in the same style as he. Statius too belongs to this period; and his little poems (*Silvae*) are among the most graceful productions of Roman literature.<sup>10</sup> Juvenal, a great genius, was likewise a contemporary of Domi-

tian; he was a master of pure Latin, and hated the tyrant with justice. From Domitian's poem we see that he was opposed to the false taste of the time. He had offended Statius; but in this we perceive not so much partiality as a correct judgment.

The frugality in the mode of living at Rome, which had been restored by Vespasian, still continued, for Domitian too was not a squanderer of money. It was probably nothing but his cowardice that induced him to raise the original pay of his soldiers fourfold, that is, to 480 denarii,—an enormous sum, for which he afterwards endeavoured to make up by reducing the number of troops, which was not suited to the circumstances of the empire.

Rome was involved in various wars during his reign. The eastern frontiers indeed enjoyed a profound peace; for the Parthian empire was in the condition into which such Eastern monarchies always sink after a certain period of greatness, and the Romans were left undisturbed in that quarter. On the northern boundaries of the empire, however, wars were waged on which some light is thrown by Tacitus' life of Agricola, which is one of the great master-pieces of ancient biography.<sup>11</sup> The Romans had gradually made progress in Britain, but Agricola was the first who penetrated to the north, beyond the two Friths, towards the Highlands of Scotland. He built a fleet, with which he sailed round the coast and visited the Orkney islands. The time of these exploits is the glorious military epoch in the reign of Domitian.<sup>12</sup>

In his earliest youth, Domitian had been in Gaul during the insurrection of Civilis. As emperor, he carried on

<sup>7</sup> In the beginning of his paraphrase of the "Phaenomena" of Aratus, Domitian says that his father was sovereign, and was honoured with the apotheosis.—N.

<sup>8</sup> See iv. 1, § 2, foll.; x. 1, § 91, foll.

<sup>9</sup> Sueton. *Domit.* 4.

<sup>10</sup> I strongly recommend the study of the *Silvae*, which are genuine poetry imprinted with the true character of the country; whence they make a most pleasing impression, especially when read in Italy. The *Thebais* of Statius, on the other hand, is an absurd poem and bombastic in the highest degree. It was certainly not by this poem that he gained the Capitoline prize.—N.

<sup>11</sup> The two best ancient biographies that have come down to us, are Tacitus' *Agricola*, and the life of Atticus by Corn. Nepos.—N.

<sup>12</sup> I refer to Agricola's circumnavigation of Scotland, the statue of Oceanus which, throughout the middle ages, lay at the entrance of the Forum Martium (the so-called Marforio, *Beschreib. d. Stadt Rom*, iii. 1, p. 138). A statue of the Rhine at Rome likewise belongs to the reign of Domitian.—N.

a war against the Chatti in the country about the river Main. If we believe the statements of the medals, which begin to be of importance at this period of Roman history, and the flatteries of Martial—who was likewise a man of great talent and enjoyed the favour of Domitian,—the emperor obtained the surname of Germanicus with perfect justice; but the historians are unanimous that those victories were not realities, though they cannot be wholly fictitious, for Roman armies did at that time carry on wars on the eastern bank of the Rhine, and not wholly without success;<sup>13</sup> but we cannot wonder at the Germans, who had only an untrained militia, not making a vigorous resistance against the Roman legions. In addition to this, the Germans were, as usual, suffering from their own internal divisions; the Cherusci demanded assistance against the Chatti, and the Lygii against the Suevi.<sup>14</sup> A war was also waged on the upper and middle Danube; and nations, which had for some time disappeared from history, are now mentioned again, and described as very powerful, such as the Marcomanni and Suevi, who were feebly united with Slavonic tribes, and that not in small numbers.

The most dangerous war of Domitian was that against the Dacians, a Thracian tribe, the same as the ancient Getae, which had pressed upon the Scythians as early as the time of Alexander the Great. Since the days of Diceneus, about the time of Augustus, they formed a great monarchy comprising Transylvania, the mountains of Moldavia, a part of the Banat, and perhaps the whole of Wallachia. The country was rich, on account of its mines and precious metals; and it is clear from the column of Trajan, that they are not to be considered as barbarians, but that they had a higher civilisation than the Germans. They had fortified towns, and lived in houses built of wood, such as are found at the pre-

sent day in some parts of the Tyrol. Decebalus, who was king of the Dacians, was a man of great character, and worthy to rule over them in those dangerous times. Their form of government was not despotic; they had a well developed constitution, and an aristocracy,<sup>15</sup> and were a free and brave nation. They had frequently harassed the Roman frontier since the time of Augustus, and had invaded Moesia whenever Rome was weak. They do not, however, seem to have touched the Roman frontier in Pannonia; for the country between the Theiss and the Danube consisted of deep marshes. The country further down about Presburg was inhabited partly by Gallic, partly by German tribes. Our knowledge of Domitian's war against the Dacians is very confused; for Xiphilinus and Zonaras pass over its details altogether. This much, however, is clear, that, on one occasion, the Romans suffered a great defeat, and that the Dacians occupied Moesia. Such bold nations as ventured to wage war against the Romans, found in the end that Rome was a dangerous enemy if the war was protracted; and they preferred concluding an honourable peace to the risk of provoking Rome to exert all its powers against them. Hence Decebalus, after having carried on a glorious war, concluded a peace, on terms which seem to us humiliating. Domitian thus, after great losses, returned to Rome in triumph, and was enabled to assume the name of Dacicus.

After this campaign, the government of Domitian changed for the worse, and his cruel disposition now began to give itself free vent. Some persons had already been put to death on mere suspicions, or because Domitian disliked them. L. Antonius Saturninus, who hated Domitian, had caused the legions of Germania Superior, which embraced not only Alsatia, but Suebia, as far as the *limites*, to proclaim him emperor; but he was conquered

<sup>13</sup> Compare Frontinus, *Strateg.* i. 3, 10.

<sup>14</sup> Dion Cass. lxxvii. 5.

<sup>15</sup> The Dacians on the column of Trajan, who wear caps and long hair, are the nobles.—N.

by L. Appius Maximus, and paid for his attempt with his life. Caligula and Nero were monsters, the former being a madman, and the latter, who was not free from madness, being a degenerate specimen of mankind, whom Aristotle would have called a being *παρὰ φύσιν*, and in reference to whom we can scarcely speak of vice, for the laws of morality are applicable only to that which lies within the boundaries of human nature: there are vices which degrade man below his nature, and by which he becomes a real brute. But Domitian was not a brute, for his cruelty lay within the bounds of human nature; it was that of a thoroughly bad man, and arose from the human propensity to envy others and to delight in their misfortunes. His cruelty was not combined with avarice, two vices which in the East usually go hand in hand. Among the senators of that time there were men worthy of the friendship of Tacitus and Agricola, such as Junius Arulenus Rusticus and Herennius Senecio. The former had written the life of Paetus Thrasea, and the latter that of Helvidius Priscus. Their works were true, and were written with a heartfelt warmth, though they may not have been free from declamation. They contained, at any rate, more life and substance than the works of the Augustan age; and it was this circumstance that provoked the anger of Domitian.

Among the men of intellect whom I have just mentioned, there arose the detestable class of the *delatores*, who enriched themselves by blood, and the accounts of whom are among the most interesting portion of Pliny's letters. These men too must not be considered as merely contemptible; for they were not so much degraded in their intellectual as in their moral condition, and were at any rate not so despicable as the *delatores* under Tiberius. Some of them were distinguished for their declamations, and on the whole they were men of talent. They belonged to what was called good society, but

their sentiments were of the most infamous kind; and they used their talents to crush the noblest and most distinguished persons. But in however bad a light the men of that time appear in the Satires of Juvenal, it cannot be denied that, in general, men were not so bad as they had been in the time of Tiberius; the women, on the other hand, were still as wanton and dissolute as ever. The long period of suffering had made men better. Under Tiberius a certain formality had been observed, and the emperor took no part in the proceedings of the *delatores* and the trials of the accused; but Domitian did not scruple to attend the trials in person. If you want to obtain a clear knowledge of these things, you must read what Pliny says of M. Regulus<sup>16</sup> and others of the same class. This latter period of Domitian's reign is one of the most fearful that occur in history, and Tacitus, who describes it most excellently in the introduction to his life of Agricola, says that people passed through it in dumb horror.

In this manner the last years of Domitian passed away. The last three were the most frightful. Had his rage been directed against good and noble persons only, he might have indulged it much longer, but he turned it against bad and infuriated men also,—against the officers of his praetorian guards, and against his wife Domitia, whom he had offended, and who offended him. The consequence was that a conspiracy was formed by the officers of his own court, to which he fell a victim in A.D. 96. Domitian built the Forum of the palace (Forum Palladium), which was thus called to distinguish it from the Forum of Augustus; and there he erected a number of government offices, tribunals, and the like. A portion of its walls and of the portico still exist as a memorial of those times. Many other splendid buildings were erected by him.

<sup>16</sup> Pliny, *Epist.* i. 5.

## LECTURE CXXX.

THE reigns of Nerva and Trajan belong to the comparatively most obscure portions of the history of the Roman empire, although the government of these two emperors was a period of delight to the Romans; one rich in literary productions, and of which many other monuments have come down to us. Tacitus evidently did not describe that period; for he says that he will reserve it for his old age, in order to excuse himself from writing contemporary history, which he certainly could not praise unconditionally. Trajan himself wrote memoirs, especially of his war against the Dacians; but no other writer of any importance has chosen that eventful period for his subject.

M. Cocceius Nerva had already reached the age of sixty-four, and was a venerable senator. How it was brought about we know not; but he was proclaimed emperor, and received by the senate with great joy. The praetorians did not object to him, although he was not a man to their taste. He laid down the principles of his government, and remained faithful to them, but proceeded in his reforms with great caution, for he was old, and did not venture to undertake much, or to provoke the praetorians; hence he punished but few of the delatores who had been the curse of the nation in the reign of his predecessor: many of them escaped with impunity, and were allowed to remain at Rome. This gave offence to men of honour, and evil-doers gained fresh courage. The feeling of present happiness was disturbed by the knowledge that those men were still alive and in office, so that the people still continued to stand in awe of them, as they might rise again at any time. The effect of this weakness on the part of Nerva was, that those who wished to continue the practices they had indulged in under Domitian employed their influence in the senate

for that purpose, and acted without any scruples. Junius Mauricus therefore said, when the death of a delator was mentioned at a banquet given by the emperor, "Yes, but if he were alive, he would suffer no harm, but would be here among us."<sup>1</sup> Nerva, however, could not act otherwise. At length Casperius, the praefect of the city, who had held the same office under Domitian, called upon the soldiers to demand of Nerva the punishment of the murderers of Domitian. On his refusal, the soldiers seized the persons alluded to, two of whom were most fearfully ill-used: they then compelled Nerva to make a public declaration in the senate that he approved of the execution of his predecessor's murderers.<sup>2</sup> He felt the disgrace of this act very keenly, and in order to strengthen himself he had recourse to the same means as Galba, and adopted Trajan, who had then the command of the legions on the Rhine. By this adoption, Trajan became his declared successor, and Nerva's choice was certainly better than that of Galba.

M. Ulpius Nerva Trajanus was born in Spain, and was the son of a distinguished man. The southern parts of Spain and Gaul were already entirely Latinised, and were so completely Italian countries, that the inhabitants of the towns generally spoke the Latin language, just as West Prussia and Silesia are completely Germanised. One of the Spanish towns of this kind was Italica, in the neighbourhood of Seville, one of the earliest settlements in that part, which had been founded by the soldiers of the Scipios, who had spent many a year there, and at last settled and married Spanish women. The town was constituted as a colony, or as a municipium of the second class, and became great and flourishing. It

<sup>1</sup> Plin, *Epist.* iv. 22.

<sup>2</sup> Aurel. Vict. *Imp. Rom. Epit.* 12.



was the birthplace of Trajan and Hadrian. Trajan's family was among the most distinguished in the place. His father had obtained high honours in the army as early as the time of Nero, and, enjoying general esteem, survived the elevation of his son for many years. The son attracted general attention, and was honoured even in the time of Domitian, so unfavourable to the manifestations of virtue. The emperor Nerva, in electing a successor, could not have made a happier choice; and it was received by the praetorians with joy and respect. Trajan was then at Rome; but he soon went to Germany, where he had his head-quarters at Cologne. Our knowledge of Germany at that time is very defective; but it is surprising to see that the relations between the Germans and the Romans still continued to be peaceful. Arae Flaviae, the name of a place on the military road from the Main to Augsburg, proves that, probably under Domitian, the Romans had already taken possession of that *sinus imperii*. The fortified ditch which extended from the Westerwald across the river Lahn, Mount Taunus, the river Main, and as far as the Altmühl, existed probably as early as this time;<sup>3</sup> but whether it was or was not, all Germany south of that line, as well as the country in our neighbourhood, was under the dominion of Rome. Free German tribes existed only in Franconia, the upper Palatinate, Hesse, and Westphalia. In the reigns of Augustus and Tiberius, Suabia was not yet subject to Rome; the Frisian tribes were subdued under Tiberius, but afterwards became free again. Under Nerva there was a little war in Suabia, the only trace of which exists in an inscription, in which mention is made of a *victoria Suevica*. The boundaries of the several tribes may be clearly seen from Tacitus' Germania. Nerva reigned only one year and a half, and died in his sixty-sixth year, A.D. 98.

The empire was now so firmly esta-

blished, that Trajan, although he was at Cologne when Nerva died, could quietly enter upon his government there, without returning to Rome till the next year. Immediately after taking possession of the sovereign power, he showed his ability by attacking the villainous delatores whom Nerva had spared: a few of them paid for their crimes with their lives; but the majority were banished to the barren islands of the Mediterranean. A still bolder step was his arresting the most turbulent among the praetorians and putting the ringleaders to death. By these and similar measures, Trajan secured and strengthened his power. His reforms were mild, and affected individuals rather than the state. He must have introduced very excellent arrangements in the administration of the finances; for he was enabled to reduce the taxes, and to dispense with the increased burdens imposed upon country districts; nevertheless, after his reign, Hadrian still found it possible to reduce the public burdens enormously. But although Trajan thus diminished taxation, he still had means not only for carrying on expensive wars, but also for executing the most costly undertakings without falling into any financial embarrassment. The minute care which he bestowed upon the provinces, as well as the principles of his administration, may be seen in the tenth book of Pliny's letters. Good emperors controlled the arbitrary conduct of governors, by taking cognizance themselves of everything that happened. It was fortunate for him that his father, in the enjoyment of vigorous health, witnessed for many years the success of his son, and rejoiced in his glory. Such a beautiful family relation had never before been seen in the Roman world.

Trajan was married to Plotina, a very excellent woman, by whom, however, he had no children. The praise of this woman far outweighs the isolated stories which very much resemble mere pieces of scandal. She, and Trajan's sister, Marciana, are among the most estimable female characters in history; and the manifest improve-

<sup>3</sup> Frontinus (*Strateg.* i. 3, 10) expressly ascribes its construction to Domitian.

ment in the conduct of women about that time must undoubtedly be ascribed to the influence of those two matrons. Ever since the time of Livia, the Roman empresses, with the exception of Vespasian's wife, who was a worthy woman (but as a freed woman could not appear in society), had encouraged and diffused the most unbounded licentiousness in the conduct of women; but the open shamelessness, which had till then been regarded as a necessary characteristic of females of the higher classes, now ceased.

Trajan's real inclinations were directed to war and great architectural works; and considering the circumstances of the empire, these inclinations perhaps ought not to be censured. By occupying the nations and armies, he gave a higher tone to his age; for if such a vast empire lives in the enjoyment of peace, it cannot but become torpid and lifeless. His wars therefore were beneficial to Rome at the time, but what could they lead to? It was necessary to go farther and farther, and this shows how unfortunate such a dominion over the world is. According to Roman feelings, Trajan had a just cause for undertaking the first war against the Dacians, for the peace which Domitian had concluded with them, and in which he had promised to pay a tribute, must have appeared to him as a disgrace to the empire; and he accordingly discontinued the payment. As Decebalus felt himself strong enough, he declared war in A.D. 101. It is probable that the plains of Moldavia and Bessarabia were inhabited by the Sarmatians, and governed by Decebalus. The war lasted for three years; when at length Trajan, by taking the capital of the enemy, compelled him to make peace. The terms of this peace are perfectly known to us from the column of Trajan. Decebalus was obliged to deliver up all Roman prisoners and deserters, and to pay a large sum of money—which cannot have been difficult for him, as Dacia is rich in silver—but still remained an independent prince in his kingdom. A few years afterwards, however, the

war broke out afresh, for reasons which we may easily guess. The peace was oppressive; the heavy burdens imposed upon the Dacians were not thoroughly felt till after the conclusion of the peace, and the insolence of the Roman governors rendered the renewal of the war inevitable. The Dacians repented, and as Decebalus violated the peace and collected troops, Rome again declared war against him. Decebalus was killed, and in the second campaign Dacia was completely conquered, and changed into a Roman province, in which condition it remained until the time of the Goths. Numbers of Roman colonies were established in the interior of the country, such as Colonia Ulpia in the capital Zarmizegethusa, but especially in Transylvania and the mountainous parts of Moldavia and Wallachia; for in the plains no traces of the Romans are found. Roman institutions struck such firm root there, that, after a period of about 150 years, when the Goths invaded Dacia, the population was completely Roman; and even to this day the Wallachians speak a language which is only a corrupt form of the Latin, and is spoken by all the Wallachians as far as Mount Pindus in Macedonia, and the countries between Epirus and Greece. This phenomenon, however, is a very puzzling one, and the Wallachians are a mysterious race. The Dacians, under the Romans, were a prosperous and truly civilized nation, which is attested, independently of many other things, by the numerous ruins and inscriptions still existing in their country.

The conquest of Dacia in A.D. 106, was followed by a few years of peace, which certainly did not make Trajan happy, and after which he gladly seized the first opportunity for fresh military enterprises and conquests. This was offered by Cosrhoes, the king of the Parthians, who had deposed Exodares, king of Armenia, which stood in an uncertain relation towards Rome and Parthia, of both of which it was a dependency, and had raised his own relative to the throne of that country.

Trajan marched into Armenia, where he received the homage of Parthamasiris, who had been raised to the throne by the Parthians. With this he was satisfied, and the king, coming into Trajan's camp, received his kingdom as a fief (for thus it may be fitly called) from him. The war, however, was continued, and it is to be regretted that we have no accurate knowledge of it; for there can be no doubt that it is rich in great events. Nature placed immense difficulties in Trajan's way; and this much seems clear, that he made Armenia the basis of his operations, and advanced towards the lower Tigris. There he took not only Seleucia, but Ctesiphon, the capital of the king of kings, and advanced as far as the ocean, that is, the Persian Gulf; but here he stopped, either because he saw insurmountable difficulties in the way of carrying out his favourite scheme to subdue the whole Persian empire, or because it was with him as it has often been with other great generals, who carried on wars merely for the sake of conquest, and becoming tired, said to themselves, "We will now make a pause, and resume our plans afterwards." It was such a thought that saved the world under Napoleon: he often felt sick of war, and wishing to spend a few months in Paris, he concluded peace, in the hope of renewing the war afterwards. He also took a pleasure in allowing his enemies to recover themselves, in order to defeat them afterwards with the greater glory. It was probably this feeling that prompted Trajan to grant peace to the Parthians, after he had raised a pretender, Parthamaspatēs, to the throne of Parthia. Such a cessation from war is neither the fruit of generosity, nor the result of a definite system. The Parthians, as individuals, do not deserve much esteem; for they were barbarians who had received their civilisation only through the Greek towns, and destroyed what they conquered; but afterwards, under the Sassanidae, Persia again rose to prosperity. The Parthians, at that time, had viceroys in different countries, and the king, with his court, travelled from

one to the other, and was kept and fed by them; but his real capital was Ctesiphon.

After the conclusion of the peace with the Parthians, Trajan could not, for some time, make up his mind what to do. He had intended to complete the conquest of Arabia, and into that country he now made an incursion, concerning which we have but scanty information; but from inscriptions and coins, as well as from circumstances which are not previously mentioned, we may regard it as certain, that he made Arabia Petraea, on the eastern coast of the Red Sea, down to the Bay of Acaba, nay, as far as Medina, a Roman province, and received the homage of the native tribes between the Euphrates and Syria. In concluding peace with the Parthians, he had obliged them to cede to him the supremacy of Osroëne, Mesopotamia, and Kurdistan. Edessa likewise was incorporated with the empire. He thus kept possession of a basis for future military operations, just as Napoleon did in similar circumstances; for he no doubt intended, if life should be spared to him, to extend the empire as far as India, or at least to leave the conquest to his successor.

The wars in the reign of Trajan extended as far as Nubia; that country, situated between Egypt and the Upper Cataract, came under the dominion of Rome, and continued to be so till the middle of the third century.<sup>4</sup> It is further probable that in his reign Fezzan, between Tripolis and the town of Bornu on the Niger, became Roman, as is attested by the inscriptions at Gharma.

Trajan could scarcely make up his mind to quit the East, and for a time he stayed in Cilicia; but while staying at Selinus, afterwards called Trajanopolis, he was taken ill, and died there in A.D. 117, at the age of sixty-one or sixty-four. His ashes were conveyed to Rome in a golden urn, and deposited under the great triumphal

<sup>4</sup> See Niebuhr's *Inscriptiones Nubienses*, in his *Kleine historische u. philologische Schriften*, vol. ii. p. 186, foll.

column. In the last months of his life, either he had actually adopted his cousin Hadrian, or Plotina merely spread a report to that effect; but however this may be, the choice of Hadrian for his successor was certainly

a most happy one, for Hadrian was a very able man; and although at a later period of his life he committed evil deeds, they were the consequences of his bodily condition, which no one could foresee.

## LECTURE CXXXI.

THE architectural works of Trajan belong not only to a topography of Rome, but to history in general; for they are equal to so many great military or other achievements. Apollodorus of Damascus was his great architect.<sup>1</sup> The *bas-reliefs* of Trajan represent the truly great things which he accomplished in the course of his reign; thus, for example, we see him giving a king to the Parthians, addressing his soldiers, his institution for orphans, his wars, his great edifices, and the like. In the early times of the republic, Roman art was of Etruscan excellence, and in the hands of Etruscans. Previously to the first Punic war, the art of painting also flourished at Rome: afterwards, there followed a period in which the Greeks served as models; but of this period we cannot judge with certainty. In the time of Augustus, the style of architecture had still the character of grandeur, but thenceforward the building material itself gradually began to be of greater consequence than style; for Augustus introduced the use of marble, and many edifices of his time were constructed of solid marble: all the columns in the temple of Mars Ultor are of marble. But Augustus also built many other great edifices of native stone; and this continued till

the time of Claudius. But in the course of years, a taste for rare kinds of marble sprung up at Rome, and we hear of works made of Phrygian, Numidian, and other kinds of marble. This taste was senseless, and led people to regard the material of an architectural work as the main thing, while grandeur and beauty were neglected; but the very general use of marble did not begin till the reign of Nero, when Greek architecture became prevalent. All the existing buildings of Titus and Domitian, with the exception of the Colosseum, have something petty and trifling in their execution. Architecture, in their time, is evidently losing its character of grandeur and of art, in the true sense of the word.

In the reign of Trajan, however, art revived and rose to splendour and honour, which was owing to his Greek architect; for this emperor had taste, and having the treasures of an immense empire at his disposal, he never took into consideration whether what he built cost a few millions more or less. He made or completed several excellent roads, paved the *Via Appia* from Capua to Brundisium with basalt; for there is no doubt that, before his time, it had not been paved in that way.<sup>2</sup> He drained the Pomptine marshes as far as it was possible, built the harbour of *Civita Vecchia*, the ancient *Centumcellae*,<sup>3</sup> and improved the ports of *Ostia* and *Portus*, at the

<sup>1</sup> I have had the pleasure of discovering his portrait in one of the *bas-reliefs* from Trajan's arch: he is a man dressed in the Greek fashion, presenting a drawing on a roll to the emperor, who is seated. It exists among the *bas-reliefs* of the arch of Constantine, the upper part of which has been most senselessly taken from the arch of Trajan.—N.

<sup>2</sup> See vol. iii. p. 305, foll.

<sup>3</sup> Pliny, *Epist.* vi. 31.



mouth of the Tiber, as it was manifest that the river was gradually destroying them by its deposits. The baths at the springs of Civita Vecchia and the port and mole of Ancona, were likewise works of Trajan; the harbour was very extensive, and the mole was made to secure its duration, for the ancient Tyrrhenian sea-ports were destroyed, though no one knows at what time their destruction took place. Trajan also did much to secure the usefulness of the mineral springs of Italy; but his greatest buildings were at Rome, where I need only mention the *Forum Ulpium*, with the *Columna Cocchlis*, which is 150 feet high. The Quirinal hill here formed a slope towards the foot of the Capitoline; and, in order to obtain a level for the new forum, a large portion of the hill was taken down, a height of more than 140 feet, as is suggested by the inscription on the pedestal of Trajan's column, though I am not sure that I remember the exact number of feet.<sup>4</sup> The forum of Trajan was not, like the Forum Romanum, an open space, but like that of Augustus, a place where government offices and other public buildings were erected. These buildings, which are well known, comprised all the offices for the finances, formed, as it were, quite a new town of palaces, in the centre of which rose the column, which is surrounded by a spiral bas-relief of excellent workmanship, representing the events of Trajan's two wars against the Dacians. These bas-reliefs have suffered much from lightning, fire, and the hand of man; but they yet shew that, in the time of Trajan, the art of making reliefs was in a state of high perfection; and all the figures are exquisitely beautiful. The sculptures are important also in an antiquarian point of view, as they represent various kinds of armour, costumes, buildings, and other things which we should be alto-

gether ignorant of, were it not for these bas-reliefs. Inside of it there is a spiral staircase leading to the top, and under the column the ashes of the emperor were deposited in a vault. It was originally surmounted by a colossal bronze statue of Trajan, but this was taken down in barbarous times, and pope Sixtus V. erected in its place a statue of St. Peter, which still stands on the column. The railings which run round the top of it are modern, but the pillar is otherwise free from restoration. Near it were two enormous buildings, great parts of which have been laid open by the clearings which were undertaken by the French. They are constructed in the form of basilicae; we cannot, however, say whether they belonged to the Forum Ulpium or not. Their splendour is indescribable; among other things they contain ground floors of square slabs of the most beautiful Numidian marble. The Forum Ulpium was also adorned at two entrances with two triumphal arches surmounted by quadrigae, as we know only from coins. It may be that Constantine despoiled one of these arches, and used portions of it as ornaments for his own arch.

These and many other works shew the extremely flourishing condition of the arts at that time. They soon sank, however; for, although Hadrian erected great and costly buildings, such as the temple of Venus and Roma, he was a man without taste, and followed his own caprices.<sup>5</sup> We have ruins of buildings erected under Antoninus Pius which are far less beautiful, and in the reign of M. Aurelius, the only branch of statuary which continued to flourish was the art of making bronze statues. The bronze statue of that emperor is excellent; the sculptures in marble on the arch of M. Aurelius are not to be compared with those executed under Trajan. The ornaments on the triumphal arch of Severus are an example of the dreadful decay of the arts, though the statues of Severus are not quite so

<sup>4</sup> 195 palms, according to Platner in Bunsen's *Beschreib. d. Stadt Rom*, iii. 1, p. 289. Ten palms are equal to 99 Parisian lines. Compare, however, Platner and Urlichs, *Beschreibung Roms*, p. 24, foll.

<sup>5</sup> Dion Cass. lxix. 4.

bad.<sup>6</sup> The Septizonium of that emperor was a colossal but tasteless building. There are people who charge the Christian religion with having destroyed ancient art; but the charge is utterly groundless, for ancient art had perished before Christianity was introduced.

The age of Trajan was equally great in literature. The first man we meet with is Tacitus. He stands quite alone, and belongs to no school; he is one of those mighty minds who exercise a great influence upon their age without being the creatures of it; for, though even the mightiest minds experience the influence of their age, which determines their course, and gives them opportunities for the display of their faculties, still it does not create them. It is in vain that we ask, who were his teachers? They may have been quite insignificant men. The school in which he was trained was the deep grief produced by the oppression of the times. His great soul was seized with grief in the reign of Domitian; and he recovered from it in the refreshing period of Nerva and Trajan. I, for my part, am convinced, whatever people may urge against it, that the first edition of his life of Agricola was published in the latter part of Domitian's reign. I collect this from its beginning, which is dreadfully corrupt.<sup>7</sup> He afterwards subjected the work to a revision, and added the preface. This life of Agricola shews all the greatness of the man: but he is struggling with a difficulty in express-

ing his sentiments; a difficulty which is perfectly natural, and is felt by all those who, being full of thoughts and ideas, have a dislike for diffuseness, and disdain to use words which are not necessary. It is only those who are unable to understand this feeling of writers like Sallust and Tacitus, that can have any doubt about the genuineness of their style. The origin of their peculiarities is, I repeat, an aversion to all exuberances of style. There is not a trace of affectation in these writers, for they have no other object than not to waste any words. This peculiar study of conciseness is most prominent in the earlier writings of Tacitus, the "*Agricola*," and "*Germania*;" for he did not wish to write large works, but only small essays, and yet to embody in them a complete description of his subjects, and to place the whole fulness of his thoughts before his reader. The "*Historiae*" is evidently the work of his life, and his most finished production; only the first five books are now extant, but they are sufficient to shew how much we have to lament the loss of the rest. In this work he passed through history in all its phases; he did not condense his accounts, but gave very minute narratives. I believe that, as is stated by St. Jerome, the "*Historiae*" really consisted of thirty books, which cannot be thought too much, if we consider the minuteness with which he relates the insurrection of Claudius Civilis, the life of Domitian, etc. After the completion of the "*Historiae*" he added the "*Annales*," to complete the history of the empire from its establishment and consolidation, after the close of the comedy of republican forms. He wrote the *Annals* in a very concise style, giving prominence to some portions only, while he passed over many points altogether. The nearer he came to the point at which the "*Historiae*" begins, the more minute he seems to have become; and he must have described the latter period of Nero's reign with the same vividness and minuteness which we see in the "*Historiae*." If we compare the works of

<sup>6</sup> Modern art fell off in a similar manner during the seventeenth century, if we compare the productions of that time with the Dutch paintings of the first half of the sixteenth century. Drawing was not neglected, for good drawings were produced even in the eighteenth century, the period of the greatest barbarism in painting. In the time of Severus, however, drawing, too, sank quite as low as sculpture, and even the proportions were forgotten.—N.

<sup>7</sup> I have no doubt as to the correctness of my own emendation.—N. Instead of *laudati essent, capitale fuisse*, Niebuhr reads: *laudati capitales fuissent*, and in chap. i. *at mihi nuper* instead of *at mihi nunc*. See Niebuhr's *Kleine hist. u. philol. Schriften*, i. p. 331.

Sallust and Tacitus with those of Livy, we perceive at once, from the wonderful symmetry of the former, how much superior these authors were to Livy, in the artistic construction of their works.<sup>8</sup> People speak of the heaviness and difficulties of Tacitus' style; but these difficulties are in reality not so great as those met with in reading Livy, who, wherever he argues and attempts to be brief and concise, is much more difficult than Tacitus. Livy's preface, for example, and the discussion about P. Cornelius Cossus in the fourth book, are among the most difficult passages in Latin prose, in which even men like Gronovius were unable to see their way clearly. Livy is confused in those and similar passages merely because he wanted to be brief; had he written pages on those points, he would have been clear enough; as in his parallel between Alexander the Great and the power of Rome, which is minute and written in a most admirable manner, though his opinion upon the question is worth nothing. Tacitus stands forth like Aeschylus and Sophocles, like many a lyric poet, and like Lessing in German prose. Such men have no equal; but his contemporaries were always ready to set up a number of others who, in their opinion, were men of no less extraordinary genius. This mode of looking at a great man has this comfort to his contemporaries, that in proportion as he is dragged down the others are raised; and the great genius does not, at least apparently, leave his contemporaries at too painful a distance.

It was owing to this feeling, that Pliny the younger was placed by the side of Tacitus. His letters are of great psychological interest. He was a most good-natured man, but extremely vain and conceited: before the public, he always shewed that he was

perfectly conscious of being a classical writer; but in his letters to Tacitus he displayed the greatest humility, and almost worshipped him in order to win his favour and to be praised by him, although there can be no doubt that in his private conversations with his friends, he censured Tacitus and pitied him for his defects. Such a humility is dishonest. He writes on one occasion<sup>9</sup> that the public mentioned himself and Tacitus always together, but that he himself did not deserve that honour. His vanity also displays itself in the detailed descriptions of his own beneficent institutions contained in such letters as were destined for the public. His letters however are, notwithstanding these things, very instructive in regard to the history of the age in which Pliny lived; and we cannot help recognising in their author a benevolent and extremely useful man, who devoted his large property to the public good, a very excellent governor of the provinces over which he was set, and a man of great talent and intellect. But the vanity with which he speaks of his own good qualities and generosity is truly childish. Pliny bears a striking resemblance to the Parisian writers of the eighteenth century, which may be traced even in particular phrases, as my late friend Spalding has correctly observed. Hence it is very easy to translate Pliny's letters into French, whereas in a German version they are quite unreadable. These letters show that there were many persons of talent at that time, but none of them rose above a certain mediocrity; for which reason there appeared much less want of harmony in literature than in times of great genius. When a nation has once passed through a period of great intellectual eminence, the literature of which has become the common property of subsequent ages, it feels easy and satisfied with what it possesses; but if in such circumstances a man like Tacitus springs up, and gives to his age a new life, his contemporaries feel reanimated, and men come forward and acquire a certain reputa-

<sup>8</sup> So long as Livy keeps to his beautiful narrative, and follows, for example, Ennius in his history of the Roman kings, he is unrivalled; but when he abandons himself to descriptions, as in the ninth book, he falls into absurdities, for he did not sift the materials out of which he had to construct his history.—N.

<sup>9</sup> *Epist.* vii. 20.

tion, who would have been thought nothing of at any other time. In addition to this, the age was one of comfort and happiness after great oppression. But what such men were in the time of Tacitus may be inferred from one example, L. Annaeus Florus, who lived in the time of Trajan. The early history of Rome then lay at such a distance, that people wanted nothing more than some general notion of it. The work of Florus, which is quite in the spirit of the time, and was written to supply this want, is extremely tasteless, and shews a carelessness and an ignorance of facts which are quite astonishing.

When the great light of Tacitus became extinct, complete darkness followed. Greek literature had died away a long time before the reign of Trajan; and we hear only now and then of some few isolated authors. In the reign of Augustus, we meet with Dionysius of Halicarnassus, an excellent critic, rhetorician, and historian; and he was succeeded, under Tiberius, by Strabo, who was a highly practical man and of great historical talent; but, from his time down to the reign of Domitian, Greek literature was quite barren. Under Domitian it revived through the influence of the rhetoricians, who now assumed a different character. Dion Chrysostom of Prusa in Bithynia began his career, or was already flourishing, in the reign of Domitian: he was an author of uncommon talent, and it is much to be regretted that he belonged to the rhetoricians of that unfortunate age. It makes one sad to see him waste his brilliant oratorical powers on insignificant subjects. All his works are written in excellent and beautiful language, which is pure Attic Greek, and without affectation: it is clear, that he had made the classical language of Athens his own; and he handled it as a master. In all he wrote, he appears as a man of a most amiable character, and free from the vanity of the ordinary rhetoricians, though one perceives the silent consciousness of his powers. He was an unaffected Platonic philosopher, and lived with his whole soul in

Athens, which was to him a world, and which made him forget Rome, its emperor, and everything else. All this forms a very charming feature in his character. Whenever he touches upon the actual state of things in which he lived, he shews his master-mind. He was the first writer after Tiberius that greatly contributed towards the revival of Greek literature.

After him there followed Plutarch of Chaeronea, whose excellent and amiable character must be felt by every one. It does not require, indeed, much discernment to see his faults as an historian, and the weakness of his eclectic philosophy: but we are indebted to him for our knowledge of an infinite variety of things; and, however much we may see and know his faults, yet we can read his works with the highest pleasure. His language is not nearly so perfect as that of Dion Chrysostom.

The revival of Greek literature was the work of these two men; and although they had no followers equal to themselves, still they form the beginning of a new æra. The Alexandrian literature, properly so called, must be looked upon as terminated with the death of Eratosthenes, under Ptolemy Euergetes; the period from Aristarchus to Dion is one which has no distinct character of its own. The Greek literature which prevailed at Rome in the time of Augustus was bad. Greek rhetoricians then flocked to Rome, just as in the last century French abbés flocked to Germany to teach their language; and they corrupted the Romans and spoiled their taste. Livy stands forth as one great man during that period. This state of things, namely a prevalence of Greek, though there was no longer any literature in it, remained to the detriment of Rome till the time of Seneca, sophistry alone keeping pace with the fashionable language. After Seneca, there were two schools in Roman literature, which existed contemporaneously—the school of Seneca and that of the Greek rhetoricians—until the appearance of Quintilian, the restorer of a good and pure taste in Roman literature. From his



age till the time of Tacitus, there was a new classical æra, which, however, did not last. Greek literature again revived, and made the same fascinating impression upon the Romans as it had on its first introduction at Rome. In the time of Hadrian it was so generally

cultivated, that all persons of education wrote Greek. Under the Antonines everything became Hellenised; taste underwent a change; and an archaeological pleasure in what was antiquated and in imitating the Greeks, became quite prevalent.

## LECTURE CXXXII.

HADRIAN was married to a daughter of Marciana, the sister of Trajan; and this was the cause of his elevation. Even if Plotina prepared for Trajan the form of Hadrian's adoption, she did no evil, for it had undoubtedly been Trajan's intention to make him his successor. The Romans of a later generation said that it was doubtful whether Hadrian should be reckoned among the good or the bad princes; and strong arguments may be urged on either side, for he committed acts of cruelty, which are a sad stain on his memory: but he also did much good, and if we excuse his cruelties by tracing them to the state of his mind during his last illness, it must be owned that his government was more beneficial to the Roman world than that of any other ruler; and I therefore reckon him among the good sovereigns. No Roman emperor before him had looked upon himself as the real master of the world, but merely as the sovereign of Rome, or at most, of Italy. Trajan's cares too had been mainly devoted to Italy, and what was done in the provinces was, for the most part, of a military nature. Hadrian was the first who understood his real position.

His reign passed almost without any wars; and, if we except the insurrection of the Jews, we hear only of trifling military operations, that, for example, against the revolted Mauretanians, whom he reduced very speedily. He was the first emperor who adopted the system of giving subsidies to the nations on the frontiers, in order to induce them to remain quiet. Of Tra-

jan's conquests he maintained Dacia only; his claims to Armenia were left undecided, and the possessions beyond the Tigris were given up. The insurrection of the Jews in Cyprus and Cyrene, where they were very numerous, was accompanied with very great violence. They had attempted it before, but the war was now carried on by Barcochba with furious rage and fanaticism, prompted by the consciousness that he would be subdued. The consequence was the total extermination of the unfortunate Jews in Palestine, with the exception of the Samaritans. The city of Jerusalem was restored as a military colony under the name of Aelia Capitolina,<sup>1</sup> which name continued to be used even in the Christian centuries, and the Arabic writers still call it Ilia, or the Holy City, and not Jerusalem. No Jew was allowed to live in it, or even to approach it so near as to be able to see the summit of Mount Moriah. This war was the only shock which the Roman empire experienced in the reign of Hadrian; but it was, after all, of no great importance.

His reign, which lasted nearly twenty-two years, was thus free from any remarkable calamity; and, as it passed away in almost uninterrupted peace, it may be regarded as one of the happiest periods of the empire. His first noble act after his accession was the remission, to the amount of 900 million sesterces, of the arrears of taxes, which the subjects of Rome

<sup>1</sup> Spartian. *Hadrian*, 13; Dion Cass. lxi. 2, foll.; Eusebius, *Hist. Eccles.* iv. 6.

owed to the state.<sup>2</sup> But whether these arrears were remitted in favour of the subjects themselves or of the publicani, I cannot say.<sup>3</sup> Hadrian conferred great blessings on every part of the empire, and travelled through all the provinces, from the cataracts of the Nile to the frontiers of Scotland. There was probably not one province of his empire which he did not visit. In Britain he erected the great bulwark against the Caledonians, from the Solway to the river Tyne: and the province of Britain now began to become Romanised, though the Gaelic and Cymric elements still continued to maintain themselves by the side of the Romans.

But it was more especially upon Athens and Greece in general that Hadrian bestowed his favours and benevolence; for he had an enthusiastic partiality for everything Greek. The number and the splendour of the buildings which he erected at Athens, reminded the people of the days of Pericles. He completed the Olympieum; built theatres and temples: and, in short, quite a new town, the town of Hadrian, rose by the side of Athens. He further shewed his tender attachment to that city by assuming the dignity of archon eponymus.

In this manner, the greater part of his reign passed away in a series of benevolent acts. During the latter years of his life, however, his health began to decline; and he sank into a state of melancholy, in which he endeavoured to obtain aid and support, by choosing a successor on the one hand, while on the other he allowed himself to be hurried, by fits of anger and mistrust, into acts of cruelty which disgrace his memory. If we consider

what the Roman senators were at that time, and what claims and pretensions they made, we can hardly wonder that any prince, and even a very good and able one, should feel a strong hatred towards them. They were immensely rich, arrogant, and disagreeable; and their dignity had already become hereditary in their families. A young man, L. Aelius Verus, was now adopted by Hadrian, and destined to be his successor. Enormous sums were given on that occasion to the soldiers as a *congiarium*. Hadrian was unaccountably deceived in regard to the character of Verus, who, however, died before the emperor. Hadrian then adopted in his stead T. Antoninus Pius, a thoroughly spotless man, a grandson of Arrius Antoninus, the friend of the emperor Nerva.

It is one of the remarkable phenomena of the reign of Hadrian, that in it Roman jurisprudence received its first development as a science, and assumed the form in which we afterwards find it. A collection of laws was made under the title of "Edictum Perpetuum," by which the Roman legislation became confined to the edicts of the emperor; and the *responsa*, which had formerly been considered only as the opinions of the *sapientes*, now became real authorities in matters of law, when they were given in the name of the emperor. This "Edictum Perpetuum" forms an æra in the history of Roman jurisprudence. Some emperors before Hadrian, and even Augustus himself, had had a sort of state council; but it had always borne the character of something arbitrary, until Hadrian gave to the *consistorium principis* a stability and a regular organisation, of which it had formerly been destitute.<sup>4</sup> The *præfectus prætorio*, who hitherto had always been a military person, was now obliged to be a jurist, and was the princeps of this state council. This regulation, which, singularly enough, is completely oriental, was unquestionably made as early as the

<sup>2</sup> Dion Cass. lxi. 8; Spartian. *Hadrian*, 7; Orelli, *Inscript. Lat.* n. 805.

<sup>3</sup> The history of the financial affairs of Rome under the empire is not yet written: but it is a fine subject; and a person who would undertake to write upon it might arrive at very satisfactory results. What Savigny has written on the land-tax (in his Essay "Ueber die Römische Steuerverfassung" printed in the *Abhandl. der Berlin. Akademie* of the years 1822 and 23) is most excellent.—N.

<sup>4</sup> Spartian. *Hadrian*, 18; Dion Cass. lxi. 7.

time of Hadrian. Henceforth, men like Ulpian, Papinian, and Paullus, may be looked upon as real ministers of justice.

The downward tendency of literature assumed under Hadrian a still more decided character than it had before exhibited. If we examine the inscriptions which were made in his time, for instance those on the tombs along the Appian road, we find in some extremely barbarous Latin; the grammatical forms are neglected, and the use of the cases is in utter confusion. I have seen one which is written in a true *lingua rustica*.<sup>5</sup> Such inscriptions occur, indeed, only here and there; and the books written during this period were composed in a correct language; but they shew, nevertheless, the condition into which Rome had sunk by the decrease of its free population, the place of which was occupied by myriads of slaves and freedmen who spoke a *lingua vulgaris* or *rustica*, just as is the case with the language of the black slaves in the West Indies and America. Under such circumstances, the great body of the population forms a jargon for itself, and throws off the shackles of grammatical laws.<sup>6</sup> In the desolate or secluded parts of Italy,<sup>7</sup> where such people lived as colonists, that Latin jargon became first established, and the people gradually adopted the *lingua vulgaris*. Persons of rank continued to speak pure Latin; but they learned it as the English learn English in their colonies, after they have spoken the Creole dialect in their childhood. If men like Tacitus and Pliny learned the vulgar idiom in their childhood, they undoubtedly spoke only pure Latin

among themselves; but correct Latin must with many persons have been something acquired, as the High-German is acquired in our days by every German of education.<sup>8</sup> The use of the vulgar language must have spread very quickly and widely. A language which is decaying or growing poor, must enrich itself from ancient books; hence the old Roman writers were now read chiefly on account of their language, and the more ancient they were the greater was the value set upon them. This accounts for the fact of Ennius, Plautus, and Naevius being studied so much in those times: their works were more *piquant* also than those of the classical writers. Horace, Virgil, and Seneca had probably despised those old authors; but now they rose again in favour. At this time Cicero was neglected, the preference being given to Cato and Gracchus. It was a strange change; but it can be easily accounted for.<sup>9</sup> Hadrian himself was a lover of antiquity, and his example contributed to this restoration of the antique; but his extraordinary partiality for the Greeks contributed still more towards raising everything Greek in public estimation.

The Greek language had no doubt been kept more alive in Greece than the Latin in Italy, and the people of Athens probably still continued to speak pure Greek. Greece, however,

<sup>5</sup> The phenomenon is analogous to that which we see, for example, in letters written by our common people, who are not only ignorant of orthography, but use vulgar and provincial expressions. In like manner, there are inscriptions in Egypt which are called Greek, but are entirely barbarous.—N.

<sup>6</sup> The Wends in the neighbourhood of Lüneburg, who were compelled to speak German, formed a jargon of German.—N.

<sup>7</sup> We can scarcely form a conception of the desolate condition of the more remote parts of Italy, even as early as the reign of Augustus.—N.

<sup>8</sup> The German language has become much impoverished since the time of the Thirty-years' war, and any one who writes in high German, finds that words are wanting for things for which the common language of the people has good expressions, which however are not used in writing. This is felt more especially by persons born and brought up in Lower Saxony, for the people of Upper Germany speak nearly as they write.—N.

<sup>9</sup> We have seen a similar change of taste in our own country; for there was a time, at a very recent period of our literary history, when the early writers were regarded as the only models of perfection; when Walter von der Vogelweide, for example, was set up as the greatest poet, and the prose-writers of the sixteenth century, such as the historian Zacharias Theobald, as perfect models of good prose. I love those men as much as any one, but I am far from considering them as the models whom we should strive to imitate.—N.

was then poor in literary productions, and Hadrian's partiality for Greek writers, and the pensions he gave them, unfortunately called forth too many: poets, especially, were thus brought into existence; the lyric Mesomedes, e.g., enjoyed a pension.

The pleasure which people at that time took in Roman archaeology and the ancient language, produced writers like A. Gellius, who is a curious example of them. His work must have been written in the reign of M. Aurelius. There is something pleasing about him, and a great deal may be learned from his work. I like him very much, but it is surprising to see how ignorant he is even of the actual state of things in which he lived; and this naturally excites our mistrust in regard to his knowledge of the earlier times, and with justice. He knows nothing of the Roman institutions; what he writes about them is most ridiculous, and shews his complete ignorance of the affairs of common life. He is one of those men who, as Goethe says in his *Faust*, "see the world scarce on a holiday." He does not possess the least knowledge of antiquity; and has no idea of law, nor of ordinary life. Respecting the colonies, for example, of which there existed hundreds in his time, he is perfectly ignorant, and gives the most ludicrous definition of them.<sup>10</sup> He is a writer of the same kind as Cornelius Fronto, the instructor of the emperor M. Aurelius, who made his illustrious pupil read merely for the sake of words, and trained him in the art of hunting after rare words, with which he was to produce effect. Earlier rhetoricians had endeavoured to attain the same end by subtle combinations and over-refinement of thought; but now effect was to be produced by rare and antique expressions, and the thoughts, though they were still trivial, were expressed in more simple and chaste forms than in the time of Seneca. Fronto's dislike to Seneca probably arose from a feeling that he was incapable of such refinement. So far those rhetoricians

were rational enough. At a somewhat later period, there arose a peculiar school called the African, which continued down to the time of Arnobius, about the middle of the 3rd century. The writers of this school combined refinement of thought with that of language, and thus separated themselves from the Roman school. They are spoken of as if they had written in a peculiar dialect, and it might therefore seem strange that the language of Apuleius and Tertullian, who were both Africans, and belonged to this school, has never been censured for any dialectic peculiarities. But the notion that their language has anything provincial in it is quite erroneous. Its only peculiarity is, that it abounds in words and expressions taken from the ancient Latin writers, which they collected and employed. This system was at the same period adopted to a certain extent in Greek literature also.<sup>11</sup> Apuleius and Tertullian, however, were both men of great talent; and Apuleius must, without any hesitation, be ranked among the first geniuses of his time. He has a remarkable liveliness and universality. His "*Apologia*," in which ancient words are not so much accumulated as in his "*Metamorphoses*" and "*Florida*," shews what an elegant writer he was, when he did not attempt to be too artificial. The works both of Apuleius and Tertullian are real store-houses of ancient Latin, though the hunting after ancient words was, with men like these, in reality no more than a fanciful whim. Some such archaeological curiosities and words which were then going out of use, occur even in the works of Sallust and Tacitus; but neither of them went anything like so far as the writers of Hadrian's time. It is not easy to ascertain what gave rise to the African school, and its peculiarity. But Carthage was then, next to Rome, the greatest city in the empire in which Latin was spoken; and this circum-

<sup>11</sup> Hadrian himself shewed a delight in certain antique words. The "*Lexiphanes*" of Lucian is just such a hunter after ancient words, which he introduced into his language *à tort et à travers*.—N.



stance may give us some clue to understand this African school, for Carthage seems to have tried to rival Rome even in literature. The Latin taught and spoken at Carthage seems to have formed a contrast to the works produced at Rome, somewhat similar to that which exists between the style of the French writers of Geneva and that of Parisian authors. The whole country around Carthage spoke Punic, and at Madaura and Hippo all the people continued to do so down to a very much later period; which circumstance accounts for the facility with which Arabic was introduced into that country.<sup>12</sup>

Greek literature, in the meantime continued to rise; and Hadrian's partiality for it elevated the Eastern world in an extraordinary manner, but it also created pride, vanity, and conceit. The Greek language spread farther and farther to the most distant regions, and the whole of the East looked upon itself as a Greek world. The genius of Lucian arose at this time. He was formerly very much overrated, but must not on that account be entirely thrown aside. He writes beautiful Attic Greek, though he had no doubt spoken the Syriac language until the age of manhood, and this is a point which deserves our admiration. The characteristic of the Eastern world at that time is lightness and cheerfulness, while that of the West is heaviness and dulness. This peculiarity now led the Eastern world no longer to look upon itself as subdued by the Western nations; in addition to this, the Roman franchise had been given to

millions of men, and was still spreading under every new emperor. This was a brilliant period of Greek literature, for besides Lucian, there lived Galen, Pausanias, who has not indeed much talent, but is extremely important and useful to us, and Aelius Aristides, whose declamations must be disagreeable to every unprejudiced reader. The whole school of the Greek rhetoricians of that period, who looked upon themselves as forming a second golden age of oratory, spoke and wrote after the models of the ancients, but unfortunately there is no substance in what they spoke and wrote. It was, generally speaking, with the literature of that time as it was for a long period with our own, of which Goethe says, that down to the eighteenth century it had no substance. The same was the case with the Latin authors. Apuleius is ingenious where he has a good subject, as in the "*Apologia*," and in that mad book the "*Metamorphoses*;" for a real subject at once enables the author to give life and spirit to his work. Tertullian too produced some spirited and substantial works: when, *e. g.*, he writes against the theatres, and has to treat of a reality, he shews that he is a great author, and is very instructive; while Aristides, in his declamation on the battle of Leuctra, is trying to entertain his readers with idle and silly trash. Tertullian is one of those writers whom I can recommend to every one, not merely to theologians on account of his importance in ecclesiastical history, but to scholars also, who should devote more attention to the ecclesiastical fathers, in general, than they do, and thus follow the example of Scaliger, Hemsterhuys, Valckenaer, and others. We cannot acquire a thorough knowledge of the history of those times, without studying such writers as Justin Martyr, Clement of Alexandria, and Athenagoras.

<sup>12</sup> It is not improbable, that a thorough investigation of the very peculiar idiom of Tunis, which does not appear to be real Arabic, might throw some light upon the ancient Punic. It no doubt contains much Punic, and also many traces of Latin; the genitive case, for example, is indicated in that language by *de*, which is evidently derived from the Latin.—N. Compare *Lect.* lxx. note 9.

## LECTURE CXXXIII.

HADRIAN's name is immortalised chiefly by his architectural works. Among the great buildings of ancient Rome, none was more stupendous than his Mausoleum, the *moles Hadriani*.<sup>1</sup> We know from Procopius,<sup>2</sup> that the emperor's statue which adorned it was thrown down during the siege of Rome by the Goths. This Mausoleum, with all its inscriptions, continued to exist during the middle ages; but afterwards it was destroyed intentionally, until the destroyers grew weary of their work; but it is still the greatest building extant, and its gigantic masses shew its original beauty. At a distance of two miles from Tibur stand even now the enormous ruins of Hadrian's villa, where statues of the most exquisite beauty have been brought to light. The strange outlines of this building still shew its peculiar beauty, which is now in some manner increased by the luxuriant vegetation that has overgrown the ruins. Certain plants which were kept in the gardens of the villa, and which do not occur in any other part of Italy, have become indigenous on that spot from the time of Hadrian.

With regard to Hadrian as an author, we have only a few verses of his, which have been preserved by Spartianus in his life of the emperor,<sup>3</sup> a doubtful epigram (I myself consider it genuine) upon his favourite horse Borysthènes,<sup>4</sup> and a few other trifles. There are also some verses of his in the Greek Anthology; but all of them are somewhat strange and far-fetched, like everything he did. He was, however, the author of numerous poems.

Hadrian was succeeded, in A.D. 138, by T. Antoninus Pius, whom he would

not have adopted if M. Aurelius Antoninus had been at a more advanced age; for Hadrian was very much attached to this boy, even when he was no more than six years old, a fact which speaks greatly in favour of Hadrian. The real name of M. Aurelius was M. Annius Verus; and Hadrian used to call him Verissimus, on account of his extraordinary veracity and great kindness. Had he been older, Hadrian would unquestionably have chosen him for his successor; but as it was, he adopted T. Antoninus Pius, the husband of a sister of M. Aurelius' father. I have already remarked that, before this time, Hadrian had adopted Aelius Verus, an unworthy man. It is strange that Hadrian could at the same time love a person like this Aelius Verus and M. Aurelius, who was the very embodiment of human virtue; but we must believe that Hadrian's bad and sinful habits left him in the moments when he looked upon that innocent child. T. Antoninus Pius was married to Faustina, the sister of Annius Verus, the elder. The Roman names about this time are so confused, that it requires the greatest caution to avoid being misled. The family of T. Antoninus Pius originally belonged to Nemausus in the province of Gaul, whereas his two predecessors had been of Spanish extraction. It was by a mere fiction that Italy was still considered as the centre of the empire. The history of the reign of Antoninus Pius, which lasted more than twenty-two years, is extremely obscure;<sup>5</sup> we know infinitely less about this period than about the earliest times of the Roman republic; and I have, for in-

<sup>1</sup> Spartian. *Hadrian*, 9; Dion Cass. lxi.

<sup>2</sup> *Bell. Goth.* i. 22.

<sup>3</sup> Spartian. *Hadrian*, 25.

<sup>4</sup> Meyer, *Antholog. Vet. Lat. Epigr. et Poem.* No. 211, vol. i. p. 71.

<sup>5</sup> The seventieth book of Dion Cassius is lost, and was lost even at the time when Xiphilinus and Zonaras made their abridgments; and we are therefore almost confined to the miserable life in the "Historia Augusta."—N.

stance, a much more accurate knowledge of the conquest of Rome by the Gauls, than of the history of this emperor. The personal character of Antoninus Pius was very good; he obtained the surname of Pius from the circumstance that, after the death of Hadrian, when the senate was in a state of vehement irritation against him, T. Antoninus nevertheless carried a decree which conferred divine honours upon the memory of Hadrian.<sup>6</sup>

His reign was not so undisturbed as that of Hadrian; for he had to wage some wars on the frontiers, and to contend with various insurrections, as, for instance, of the Britons, of the Mauretanians of Mount Atlas, who still preserved their savage nature, and of the Jews,<sup>7</sup> as well as against the hostility of the Parthians. These insurrections shew that the provinces were oppressed by the governors; but such disturbances were, after all, of little importance, and the peace of Italy was not affected by them. This reign, however, was unfortunate on account of the fearful earthquakes which occurred in it, and destroyed Rhodes, Smyrna,<sup>8</sup> and many other Ionian towns of Asia Minor, of which Aristides speaks. As we have so few documents concerning this period, we can in many instances form conjectures only. It may, however, be truly said, that Antoninus Pius was a benevolent man, and of an unblemished character; but that he was nevertheless only an ordinary man, and anything but a great prince. We have good grounds also for believing that the decay of the empire, which became visible in the reign of his successor, was prepared by him.

The golden age of jurisprudence had commenced under Hadrian, and advanced under Antoninus Pius, in the latter part of whose reign the work of Gaius was undoubtedly written. Greek

literature was then very rich; for Ap-  
pian, the beginning of the works of  
Galen, Sextus Empiricus, and Sextus  
of Chaeronea, belong to that period.  
Manufactures had been in an extremely  
flourishing condition in Egypt, and  
especially at Alexandria, as early as  
the time of Hadrian; and they now  
continued to go on improving, espe-  
cially, linen, cotton, and glass manu-  
factures. Mathematical studies, astro-  
nomy, and mathematical geography,  
were likewise thriving in Egypt.

Antoninus Pius was succeeded by  
M. Aurelius Antoninus. The wretched  
“*Historia Augusta*” has two contra-  
dictory accounts respecting the adop-  
tion of M. Aurelius. According to  
the more generally received account,  
Antoninus adopted him and L. Aelius  
Verus Commodus, the son of Aelius  
Verus, at the same time; whereas,  
according to another statement, M.  
Aurelius was obliged to adopt Com-  
modus.<sup>9</sup> The fact that Aurelius and  
Commodus are called *Divi fratres*,  
is, however, a strong argument in sup-  
port of the former account. But it  
is strange to find that L. Aelius Verus,  
in a letter addressed to M. Aurelius,<sup>10</sup>  
while speaking of Antoninus Pius,  
uses the words *avus meus*, and *pater  
tuus*. It may be that this curious  
adoption was made in such a manner  
that the adoptive father, Antoninus  
Pius, afterwards gave L. Aelius Verus  
as adoptive son to M. Aurelius, for  
such things often occurred.<sup>11</sup>

It is more delightful to speak of  
M. Aurelius than of any man in  
history; for, if there is any sublime  
human virtue, it is his. He was cer-  
tainly the noblest character of his  
time; and I know no other man who  
combined such unaffected kindness,  
mildness, and humility, with such con-

<sup>6</sup> Spartian. *Hadrian*, 27; *Aurel. Vict. De Caesar.* 14; *Dion Cass.* lx. 1.

<sup>7</sup> *Jul. Capitolin. Antonin. Pius*, 5; *Pausanias*, viii. 43, 3.

<sup>8</sup> One of the orations of Aelius Aristides referred to these calamities.—N. See *Philostratus, Vit. Sophist.* ii. 9, 2.

<sup>9</sup> *Jul. Capitolin. M. Anton. Phil.* 5; *Spartian. Aelius Verus*, 4. Compare *Dion. Cass.* lxi. 21; lxxi. 35.

<sup>10</sup> *Vulcat. Gallic. Avidius Cassius*, 1.

<sup>11</sup> The names of persons were changed at that time in the most arbitrary manner, and on the most trivial occasions. The elder Verus was properly called Commodus, and Antoninus was called Verus; but they exchanged their names, and the first-born son of Verus received the name of Commodus.—N.

scientiousness and severity towards himself. We can trace his history from his childhood, even in the biographies of the "Historia Augusta," and we possess innumerable busts of him, in which he is represented at the different periods of his life, from a boy ten years old down to his death. Any one who lives in Italy may easily collect a complete series of such busts made in successive years; for every Roman of his time was anxious to possess his portrait. If there is anywhere an expression of virtue, it is in the heavenly features of M. Aurelius. Formerly, he was known only in his mature age from his own "Meditations," a golden book, though there are things in it which cannot be read without deep grief, for there we find this purest of men without happiness and joy. No one who reads his work, especially the first book, in which he goes through all the circumstances of his life, and thanks every one to whom he owes any obligation, can help loving him; the cases where he returns more than he owes, only shew his extremely amiable nature. But we now know him from his correspondence also with Cornelius Fronto, in the happy time of youth bordering upon manhood, in the full bloom of life, when he was very happy. Afterwards we find him depressed, and overwhelmed by the burdens of his office; but he never neglected any of his duties. We also know him as a noble husband and father, and as an enthusiastic disciple of his teacher, who was infinitely his inferior. When M. Aurelius began to perceive this, he yet returned to him, in order not to neglect him or hurt his feelings; he caressed him, in fact, and asked his advice, although he did not need it.

His education was very remarkable for the care with which it was conducted, and the extent and high degree to which it was carried. He seized upon every branch of knowledge that was offered to him with the greatest eagerness. Cornelius Fronto, who enjoyed the greatest reputation among the Roman rhetoricians of the time, was his teacher in rhetoric. He instructed M.

Aurelius in his own way, and as if he wanted to make a rhetorician of him. The Greek, Herodes Atticus, who was likewise one of his teachers, was more a man of the world than the old pedantic Fronto. M. Aurelius read immensely in the classical literature of both Greece and Rome, and was insatiable in acquiring knowledge. His studies up to his twentieth year were directed principally to grammar, rhetoric, and classical literature, which he made thoroughly his own. He acquired the Latin language and his style in the way in which most men at that time acquired them: he lived more with Plautus, Ennius, and Naevius, than with Virgil and Horace. In his twenty-second year he became acquainted with Junius Rusticus, a Stoic philosopher, whom he looked upon as his guardian angel, but concerning whom we know nothing beyond what M. Aurelius himself says of him in his first book. Zeno himself may have been vastly inferior to Plato and Aristotle—an opinion in which I readily join—but the Stoic philosophy was at that time the only one of any importance. The Platonic philosophy was in a deplorable condition, and had sunk to a mere *θαιματολογία* and *θεουργία*; and although some men of that school had great talents, yet there were but few traces of good sense among them; all the Platonic philosophers of this time were nearly at the point where we afterwards find the New-Platonists. The Aristotelian philosophy was quite extinct. The Stoic philosophy was always able to bring about its own regeneration in a moral point of view. The truly great Epictetus had appeared among the Stoics as early as the reign of Domitian. Epictetus' greatness cannot be disputed; and it is impossible for any person of sound mind not to be charmed by his works, which were edited by Arrian. The latter, too, is an important man, both in history and philosophy, and one who recalled the good times of ancient Greece. But the new life which Epictetus infused into the Stoic philosophy did not last long; for those who until then had been at-



tached to the doctrines of the Stoics now turned to New-Platonism, and the hearts which, while paganism was yet prevailing, were panting for a purer atmosphere, found peace afterwards in their faith in the Christian revelation.

The Stoic philosophy opened to M. Aurelius a completely new world. The letters of Fronto, which are otherwise childish and trifling, throw an interesting light upon young M. Aurelius' state of mind at the time when he cast rhetoric aside and sought happiness in philosophy: not, indeed, in its dialectic subtleties, but in its faith in virtue and eternity. He bore the burdens of his exalted position in the manner in which, according to the precepts of pious men, we ought to take up our cross and bear it patiently. Actuated by this sentiment, M. Aurelius exerted all his powers for the good of the empire, and discharged all his duties, ever active, no less in the military than in the civil administration of the empire. He complains of want of time to occupy himself with intellectual pursuits; but then he consoles himself again with the thought that he is doing his duty and fulfilling his mission. There certainly never was a prince so deeply and universally beloved by his people, that is, by half the world, as M. Aurelius. Syria and Egypt alone formed an exception; but those countries had never seen him. In Italy, and all the western parts of the empire, he was adored like a heaven-born ruler. At that time men of the same age who were mutual friends called each other *frater*, and younger persons used the term *pater* to their elders. The distance which usually exists between a sovereign and his subjects did not prevent Aurelius being addressed by the Romans who knew him as father or brother. During his whole reign, the senate felt itself restored to its former republican dignity as sovereign; for the emperor looked upon himself only as the servant of the republic, and upon the dignity of a senator as equal to his own.

This man, with all his excellencies and virtues, was not only not happy, owing to the burdens that lay upon him, but an evil fate seemed to hover

over him in all his relations. Symptoms of the misfortunes of the times already began to be visible. The long period of peace had destroyed the military discipline and the vigorous energy of the armies, and the whole of the Roman world had sunk into a state of languor. Sensuality, love of pleasure and idleness, were rapidly gaining the upper hand. The German nations were compelled by Slavonic tribes either to seek the protection of Rome, in case of her armies on the frontiers being strong enough, or to take refuge in her dominions. Such was the case with the Marcomanni, Quadi, Victovalli, and various other tribes, which now crossed the Danube. In another part of the empire, the Parthians invaded Armenia, which was properly in a feudal relation both to Romans and to Parthians, took possession of the country, and thence made their attacks upon the Roman dominions. The legate Severianus, who was sent against the Parthians at the commencement of the reign of M. Aurelius, was cut off with one or two legions. At the outbreak of this war, M. Aurelius sent his adoptive brother, L. Verus, to the East, perhaps merely from the desire to afford him an opportunity of rendering a service to the state. But Verus remained at Antioch, and crossed the Euphrates only once. The Parthian war was, however, brought to a close, after four campaigns, by Statius Priscus, Avidius Cassius, and Martius Verus. The last three campaigns were very successful; and Cassius, who penetrated deep into Asia, took Seleucia. A peace was then granted to the Parthians, the terms of which, however, we do not know.

Another source of M. Aurelius' unhappiness was his adoptive brother, L. Verus, who was as different from him as possible. He lived in luxury and dissoluteness, while Marcus observed towards himself an almost monastic severity. Verus was a true *pendant* to Caligula and Nero, with this difference, that he had no opportunity of shewing his cruel nature, for Marcus kept him in check as well as he could.

M. Aurelius was also unhappy with his wife, Annia Faustina, the daughter of Antoninus Pius. He was more unhappy with her than he himself could know or see; but he loved her tenderly as the mother of his children. She was in no way worthy of such a husband; and the conduct of the best of men produced no effect upon her mind. He was, perhaps, fortunate enough to be under a delusion respecting her throughout his life; and he may have seen her in the light in which he wished to see her. It is, however, not impossible that her conduct may be described in our authorities in blacker colours than it really deserved, though her bad disposition cannot be denied.

At the time when Verus returned from Asia, after the conquest of Seleucia, Europe was visited by a pestilence, a calamity from which it had been free for centuries; for the last plague that had occurred was that of the year U. C. 461; all that is mentioned in the interval refers to common epidemics.<sup>12</sup> But in A. D. 167, the real oriental plague was carried into Europe by the army returning from

the Parthian war, and spread all over the western world, Asia Minor, Greece, Italy, Gaul, etc.: Africa alone was perhaps not reached by it. This pestilence must have raged with incredible fury; and it carried off innumerable victims.<sup>13</sup> As the reign of M. Aurelius forms a turning point in so many things, and above all in literature and art, I have no doubt that this crisis was brought about by that plague. The plague at Athens in the beginning of the Peloponnesian war forms a similar turning point in the history of Attica, and a pestilence in general always draws a strong line of demarcation between the periods on the boundaries of which it occurs. The black death, for example, which raged in Germany in the year 1348, put a complete stop to our early literature, and the literature of Florence was manifestly affected in the same way. After the black death, the arts were for years at a perfect stand still. The ancient world never recovered from the blow inflicted upon it by the plague which visited it in the reign of M. Aurelius.

<sup>12</sup> See vol. iii. p. 407, foll.

<sup>13</sup> Eutropius, viii. 12; Jul. Capitolin. *Verus*, 8; *M. Antonin.* 13.

## LECTURE CXXXIV.

THE happiness of the reign of M. Aurelius was thus disturbed by the plague, which was carried into Europe from the East, and no less by the wars with the Germans. Ever since Augustus, the German tribes had attacked the Romans only on the frontiers. In the time of Tacitus we see a peaceful relation established between the two nations, and some of the German tribes, such as the Hermunduri, even carried on an active commerce with the Romans. The *limes* (a wall with a ditch), ran from the river Main, commencing at the point where the Spessart mountain approaches nearest

to the river, to where the Altmühl empties itself into the Danube, not far from Ratisbon. Franconia, Suabia and the Palatinate, east of the Rhine, were tributary to the Romans, who had good roads between Frankfort and Ratisbon. The ancient inhabitants of those southern parts were either all Gauls or at least overwhelmed by Gallic settlements; but the country was very thinly peopled, and only the Sigambri and Bructeri had taken part in the attempt of the nations west of the Rhine to shake off the Roman yoke, in the reign of Vespasian. The same may have been the case under

Hadrian, who maintained peace by giving presents to the nations on the frontiers. In the reign of Antoninus Pius we hear of a defensive war against the Chatti,<sup>1</sup> which is the first symptom of a movement among the Germans; and this movement was evidently caused by the advance of the Slavonic nations from the East. In the reign of M. Aurelius there was a general commotion among the Germans who were fleeing before their enemies, and threw themselves upon the Romans. The Marcomanni then stood forth most prominently among the Germans.<sup>2</sup> In the German, or, as it is usually called, the Marcomannian war, which now broke out, the Marcomanni, Quadi, Chatti and a number of other German tribes, and at the same time the Sarmatian tribes, which were otherwise hostile to the former, made their first and joint attacks upon the Roman frontier from Dacia to Gaul; they advanced into Raetia, and penetrated even as far as Aquileia.<sup>3</sup> The history of this war would be of great interest to us; but the extant accounts of it do not enable us to form a clear notion of it. Xiphilinus' abridgment of Dion Cassius is in this part scarcely worth anything; and there are some important facts connected with this war, for a knowledge of which we are indebted to medals alone, which henceforth form a very good guide. This much, however, is clear, that the Marcomannian war was divided into two distinct periods, and that it was interrupted by a peace or a truce,<sup>4</sup> in which the places taken by both parties were given up; the war broke out again with fresh fury in the last years of the reign of M. Aurelius. Many particulars of the war are repre-

sented in the excellent bas-reliefs on the Antonine column at Rome, though they are much damaged. There we see, for example, barbarian princes submitting to the emperor, or suing for mercy. We cannot believe that these are inventions of flattery; for Aurelius would not have tolerated flattery, and there can be no doubt that, during the last years of the war, the Romans were victorious, though not without the most extraordinary exertions, and that if M. Aurelius had lived longer, he would have made Marcomannia and Sarmatia Roman provinces.<sup>5</sup> But the war was interrupted by the insurrection of Avidius Cassius in Syria.

The history of this period is so extremely obscure, that we can say nothing with certainty of the descent of Avidius Cassius. According to some, he was a native of the island of Cyprus,<sup>6</sup> or of Syria. According to others, he belonged to the Roman gens Cassia,<sup>7</sup> either in the male line or by a woman of that gens who had married into his father's family. This is not impossible, even if he was of Eastern origin. The former statement has something improbable about it; for it is not likely that natives of Greek provinces should have been raised to the highest offices in the Roman armies, as early as that time. In the countries where Latin was spoken, it made no difference where a man was born, whether he was a Spaniard, an African, or a Roman; but the case of orientals who spoke Greek was different. Avidius Cassius was a remarkable man, and was distinguished as a military commander. The Roman armies were at that time recruited from the military colonies and the frontier countries; and their discipline had latterly fallen very much into decay. The soldiers had been greatly neglected during the long peace under Hadrian and the unwarlike reign of

<sup>1</sup> J. Capitolin. *Anton. Pius*, 5. *M. Antonin. Philos.* 8; Pausanias, viii. 43, 3.

<sup>2</sup> The name of the Marcomanni disappears in history soon after this war; they were either overwhelmed by Slavonic tribes, or their nation was broken up, and entered into different relations.—N.

<sup>3</sup> Lucian, *Alexand.* 48; J. Capitolin. *M. Antonin. Philos.* 14.

<sup>4</sup> J. Capitolin. *M. Antonin. Phil.* 12, 17; Eutropius, viii. 6. Compare Dion Cass. lxxi. 13, foll.

<sup>5</sup> J. Capitolin. *M. Antonin. Phil.* 24; Dion Cass. lxxi. 20.

<sup>6</sup> J. Capitolin. *M. Antonin. Phil.* 25; Dion Cass. lxxi. 22.

<sup>7</sup> Vulcat, Gallicanus, *Avid. Cassius*, 1.

Antoninus Pius; for the legions usually remained where they were once stationed, which was a most imprudent system. It can hardly be conceived how Hadrian could tolerate such a thing. They thus became a sort of settled Janissaries on the frontiers; and instead of being kept in their camps, they generally took up their quarters in the towns of the provincials. In Syria, which is one of the most beautiful and magnificent countries in the world, with an admirable climate, and a fertile soil, the discipline of the Roman legions had been in a state of perfect dissolution, and the Parthians had been very successful in their attacks. They had, it is true, also suffered reverses; but their cavalry was excellent. Avidius Cassius, who had been entrusted with the command of those legions, had restored their discipline, and conquered the Parthians with them. The ancient system of changing the governors of provinces had likewise been neglected; and after the time of Hadrian, the *legati pro praetore* often remained at their posts all their lives, while the governors of the senatorial provinces were changed every year. Avidius Cassius had thus been in Syria for a long time; and throughout his province, as far as Egypt, he was extremely popular, and perhaps even more so with the natives than with the army. But, in his army too, the ablest men were attached to him, because he was a good general and maintained a *Cassiana severitas*; hence a part of his soldiers joined the provincials in proclaiming him emperor. It must be remembered in his excuse that there was at the time a report current in Syria, that M. Aurelius had died.<sup>8</sup> Had Avidius Cassius succeeded in obtaining the government of the empire, Rome would not have had to suffer under the disgraceful sway of Commodus, and much bloodshed would have been spared. The opinion that Avidius Cassius intended to restore the republic<sup>9</sup> is an absur-

dity, for such a notion could not have entered the head of a great general like him. The consequence of that measure would have been that the voluptuous senate, that is, the fine and fashionable gentlemen of the day, who were devoid of all great qualities, would have become the rulers of the world. I entertain a high opinion of Avidius Cassius, and am convinced that he intended to govern the empire according to the moral maxims of his predecessors. But about three months after he had assumed the imperial title, he was murdered by a centurion,<sup>10</sup> a fact which shews that a part of the army was dissatisfied with his strict discipline. It had also become known in the meantime that M. Aurelius was not dead. The provincials reluctantly returned to their obedience to M. Aurelius. The report that Faustina, the wife of M. Aurelius, was compromised in the insurrection of Avidius Cassius was without any foundation, and is refuted by her own letters.<sup>11</sup> The letters of Faustina and Marcus are very interesting; but the Latin is fearfully bad. They contain some obsolete forms, as *rebellio* for *rebellis*, like the ancient *perduellio* for *perduellis*.

On receiving the news of the insurrection of Avidius Cassius, M. Aurelius had gone to the East; and the mildness of his character was manifested in his conduct towards the children of Avidius, and in the regulations which he made in the province. He did not punish the revolted provinces, although the senate advised him to do so. A son of Avidius was killed, but contrary to the wish of M. Aurelius, who had intended to save him. There are a couple of remarkable letters of Avi-

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deliver a speech to Trajan, in which he calls upon him to restore the republic.

<sup>10</sup> Vulcat. Gallicanus, *Avid. Cassius*, 7, foll.; Dion Cass. lxxi. 27.

<sup>11</sup> (Vulcat. Gallicanus, *l. c.* 9, foll.) There cannot be any worse historical sources than the writers of the "Historia Augusta." All of them, without exception, are persons of the greatest incapacity; for they put together things contradictory and impossible, without feeling the least uneasiness. It is impossible to keep the separate *Vitae* apart.—N.

<sup>8</sup> Vulcat. Gallicanus, *Avid. Cassius*, 7; Dion Cass. lxxi. 22.

<sup>9</sup> Alfieri, in one of his pieces, makes Pliny



dus Cassius,<sup>12</sup> which I must mention in connexion with his insurrection. He there expresses his dissatisfaction with the government of M. Aurelius, whom he calls *dialogista*, in a manner which cannot surprise us; for Avidius was a practical man of great ability, and he could not look with pleasure upon a sovereign who, with all his faithfulness in the discharge of his duties, filled his high post without pleasure, and had other things that lay nearer his heart. Avidius states that M. Aurelius was indeed an extremely good man; but that he was not able to form a correct judgment of the men around him, who, under the cloak of philosophy, oppressed and corrupted the subjects of the empire. In like manner, Julian was imposed upon by every one who called himself a philosopher; and so also are many modern princes by their Tartuffes. The fragments of Fronto, too, throw much light upon this state of things, and however small their value may be in a literary point of view, they are of great importance for the history of that time. It cannot be denied that M. Aurelius was weak, especially in his relation of husband and father. One example is sufficient to prove this. When Matidia had died and made a will, in which she left large legacies to persons of her household, and did not give to Faustina even her trinkets, Fronto allowed himself to be used as a tool by Faustina. A costly string of pearls, which Faustina had expected, had been given to a foster-child of Matidia, and Faustina induced Fronto to write to her husband to say that Matidia's will was a forgery,<sup>13</sup> etc. Marcus answered him in a remarkable note to thank him for his advice. The result is not expressly mentioned, but it is clear that Matidia's will was declared void. This excessive weakness of Marcus in yielding to the wishes of Faustina must have had its influence upon many persons.

In short, the internal condition of the empire was not good, and its

external misfortunes were great. The population, which had been at such a low ebb in the time of Augustus, might have been restored in the course of two centuries, as was the case in Germany after the Thirty-Years' war; but the plague, which must have remained in Italy and in the west, had prevented this taking place. That the plague did not reach Africa, is clear from the expressions of Tertullian. It is the same pestilence which recurs in the reign of Commodus; there is no reason for believing it to be an exaggeration, when we read that 2,000 persons were buried at Rome every day,—a statement made by Dion Cassius, a Roman senator. In addition to this, the government of M. Aurelius, however excellent in many respects, was able neither to check the general dissolution, nor to put a stop to the acts of injustice which were committed by some of the governors of provinces. There can be no doubt that some of his virtues, and his indulgence towards the senate, were the cause of much evil. He died on the frontier of Marcomannia before the war against the barbarians was brought to a close, in March, A.D. 180, after a reign of nineteen years. His son, Commodus, then nineteen years old, was with him at the time. There is one thing for which M. Aurelius has often been censured, namely the establishment of a regular court, which had not existed under any of his predecessors, who had appeared only as chief magistrates and chief commanders of the armies. But the court, which was gradually formed in his reign, cannot have been his work, for he judged of men according to their internal worth: it must have been created by his all-powerful wife, Faustina.

The age, however, was still one of considerable energy; for there were several very excellent commanders in the armies, such as Pescennius Niger in the East, L. Septimius Severus on the Illyrian frontier, and P. Helvius Pertinax, who was engaged in the internal administration, and afterwards became emperor. Claudius Severus, too, appears to have been still alive;

<sup>12</sup> Vulcat. Gallicanus, *Avid. Cassius*, 14.

<sup>13</sup> Corn. Fronto, p. 101, foll. ed. Niebuhr.

an excellent man, if we may rely upon the opinion of M. Aurelius himself, who cannot well have been mistaken in this case.

Intellectual and literary pursuits were still carried on, especially in the East; but in the Latin parts of the empire, they were on the decline. A. Gellius wrote his work in the reign of M. Aurelius, and evidently not till after the death of Fronto, who died of the plague; that is, in the interval between A.D. 169 and the death of the emperor: it is certainly erroneous to place Gellius earlier. His "*Noctes Atticae*" are a complete specimen of the grammatical and rhetorical tendency of the age; and it is remarkable to see that existing institutions exercised no influence at all upon him.

Had M. Aurelius not been extremely weak, he could not have been deceived in the character of his son Commodus, and would have seen that he was quite unworthy to be placed at the head of the empire. Marcus ought to have known that Commodus, from his early youth, was a person of the coarsest vulgarity and without any virtue, and ought therefore to have adopted one of his distinguished generals. He might have done this the more easily, as the idea of an hereditary monarchy had scarcely taken root among the Romans, and became established only through him. This, however, he unfortunately did not do.

During the first years of the reign of Commodus things are said<sup>14</sup> to have gone on tolerably well, as the arrangements made by his father were continued as a sort of tradition. But his nature, which was characterised by the lowest vulgarity, soon burst forth. He was a handsome man, and of athletic agility and strength,<sup>15</sup> and this circumstance was in some measure the cause of his abandoning himself to the coarsest pleasures and the grossest sensuality. His greatest delight was to cultivate his skill in using the bow

and throwing the javelin; and had he left the government in the hands of able men, things might still have been well; but he soon gave it up to the praefect Perennis, who ruled like an oriental despot. The consequence was an insurrection among the soldiers, in which Commodus abandoned his favourite to the fury of the populace. An attempt upon the life of the voluptuous tyrant himself was made soon afterwards by an assassin, Claudius Pompeianus, who is said to have been instigated by Lucilla, Commodus' own sister, but who declared himself to be an emissary of the senate.<sup>16</sup> This attempt excited the emperor's fury against the senators. He had insinuated himself into the good graces of the soldiers and the populace—the so-called *plebs urbana*—by his unbounded prodigality: his coins attest this *liberalitas Augusti*, which was very often repeated, and in which he squandered away and exhausted the treasures of the empire. Antoninus Pius had left behind him a treasury containing about sixty-three millions sterling, 2700 millions sesterces; but the wars of M. Aurelius had consumed it, and that emperor had sold even the valuables contained in the palace, that he might not be obliged to impose new taxes. Commodus had recourse even to murders in order to obtain more money to squander. It is just as repugnant to my feelings to enter into the details of the history of Commodus as it was in the case of Caligula and Nero; it is so disgusting that it is almost impossible to dwell upon it. The only point of interest after the murder of Perennis is the fall of Cleander, a freedman, of whom, however, it is very doubtful whether he was actually praefectus praetorio or not.<sup>17</sup> The internal dissolution of the empire is visible in the struggle which took place on that occasion between the praetorian cohorts and the city cohorts. The latter supported the city against

<sup>14</sup> Herodian, i. 8.

<sup>15</sup> His own head, which he caused to be placed on a colossal statue of Sol, is still extant. It is a very beautiful head, with graceful but unmeaning features.—N.

<sup>16</sup> Lampridius, *Commod.* 4; Dion Cass. lxxii. 4; Herodian, l. c.

<sup>17</sup> Herodian, i. 13; Dion Cass. lxxii. 13; Lampridius, *Commod.* 17.

the praetorians, and gained the victory; Commodus was on the point of being murdered at Lanuvium,<sup>18</sup> whither he had gone to escape from the plague, but his concubine, Marcia, and his sister Fadilla saved him, by informing him of his danger. In saving himself, Commodus sacrificed Cleander.

During the latter years of his life, Commodus' ambition was no longer confined to the hunting of wild beasts in the amphitheatre; he was anxious to display his skill as a gladiator also: he had before assumed the name of Hercules. His senseless decrees, for instance the one by which he declared Rome a *colonia Commodiana*, are nothing but the disgusting fancies and whims of a tyrant. He intended to crown his brutal cruelties on the first of January, A.D. 193, by putting to death the consuls elect, and then proceeding himself to the Capitol at once as consul and gladiator. The praefect, Laetus, and his concubine, Marcia, tried to dissuade him; but the only consequence was, that he resolved to avail himself of the opportunity for the purpose of proscribing his advisers. This plan, however, was betrayed by one of his dwarfs. Laetus, Eclectus, and Marcia, now endeavoured to rid themselves of the tyrant by poison;

the drug threw him into a state of torpor, and then the conspirators sent a sturdy athlete to strangle him: a report was spread abroad that he had died suddenly of a paralytic stroke. His sister Lucilla and his nearest relatives had been put to death by him.

The senate now gave vent to its feelings, by cursing and disgracing the memory of the tyrant. The praetorians, on the other hand, murmured and were discontented, for they liked Commodus on account of his weakness; but Laetus proclaimed as emperor P. Helvius Pertinax, who was then about sixty years old. A better choice could not have been made: he had distinguished himself as a brave general, and although he was not among the great commanders, still he had been a good and honest one: he had given proofs of his integrity and zeal during his administration of the city, and was favourably known and esteemed. He had the virtues of M. Aurelius, without his weaknesses, and would have made a greater sovereign; for his whole energy would have been devoted to the good of the state. The people rejoiced at his proclamation, but some of the senators were displeased at it, because he did not belong to the high nobility; and the soldiers agreed to his elevation only with reluctance.

<sup>18</sup> According to Herodian, i. 12, it was Laurentum.

## LECTURE CXXXV.

PERTINAX, who had been proclaimed in the beginning of January, was murdered towards the end of March, A.D. 193.<sup>1</sup> Now the common account is, that after his death, the praetorians offered the imperial dignity for sale to the highest bidder; but this is probably an exaggeration or misrepresentation. I cannot believe that Sulpicianus, the praefect of the city,

and Didius Salvius Julianus bid against one another as at an auction. It is a well-known fact that every sovereign on his accession gave donatives to the praetorians to secure their favour; and I have not the least doubt that the bargain in this case was about the donative, and it is quite natural that the amount of the donative decided the issue. Sulpicianus, who was in the camp, addressed the soldiers at its gate; and Julianus did the same at the gates of the city: the former offered a

<sup>1</sup> J. Capitolin. *Pertinax*; Herodian, ii. 1, oll.; Dion Cass. lxxiii. 1, foll.

donative of 20,000, and the latter of 25,000 sesterces to every praetorian; and Didius Julianus was accordingly proclaimed emperor by the praetorians after they had opened the gates to him.<sup>2</sup> Julianus here acted a part more miserable than his character would lead one to expect: his prospects of ascending the throne were as good as those of many others, and he was innocent of the death of Pertinax; but although himself a very rich and vain man, he made use of the treasures of the state to purchase the empire. He had been governor of Dalmatia, his administration of which had not disgraced him, and in general we cannot say much against his personal character: but he now called forth the general indignation by attaching himself to the praetorians, the murderers of Pertinax, and by thus betraying to them the secret of their power and of the weakness of the government. In other respects, the charges that are made against his character are of a vague and general nature; but his history in Dion Cassius is unfortunately much mutilated. Herodian, who relates the events of this time, was a foreigner and a superficial rhetorician. Most of the particulars of Julianus' reign, some of which are of great importance, are contained in the "*Historia Augusta*," which is otherwise wretched beyond all conception. I can, however, refer you to Gibbon for the history of this and the subsequent periods, although there are some points in the "*Historia Augusta*" which even Gibbon has overlooked.

Clodius Albinus, the commander of the legions in Britain, had been ill disposed towards Commodus, although Commodus had proposed to him to adopt the title of Caesar, if he should think it necessary to keep the troops in order: but Albinus had declined doing what he thought to be a mere trap set for him by the tyrant.<sup>3</sup> Even before the death of Commodus, however, he seems to have secured himself

through the army, in case any attempt should be made against him. When Pertinax was raised to the throne, Albinus assumed a neutral conduct, for he declared neither for nor against him. After the death of Pertinax, the British and Gallic legions attached themselves to him, and proclaimed him emperor. About the same time the legions in the East proclaimed Pescennius Niger; and a third general, L. Septimius Severus, was proclaimed emperor by the legions in Germany and Pannonia. The senate was, on the whole, favourable to Albinus; the people and some of the senators to Pescennius Niger; whereas Severus had comparatively few supporters at Rome. To Didius Julianus, or his cause, no one was attached; and the senate could not bear him, because he had made himself dependent upon the praetorians. Pescennius Niger could not advance, and lost time in making preparations, for Septimius Severus was in his way, and acted with indefatigable energy, so that he arrived at Terni about three months after the death of Pertinax. No one drew his sword in the defence of Didius Julianus, and even the praetorians, when Severus approached, shewed scarcely any inclination to defend the emperor of their own making.<sup>4</sup> The senate declared for Severus, who entered the city with his army, and terrified the people, but without committing any outrage. Didius Julianus, however, was put to death, which was an unnecessary act of cruelty, as no one rose to defend him. The praetorian guards were ordered to lay down their arms, and were dismissed in disgrace, Severus immediately prepared to set out for the East to attack Pescennius Niger.

Septimius Severus was an extremely remarkable man. He was a native of Leptis, an ancient Punic colony, in which a numerous Roman *conventus* had settled, as in so many other towns

<sup>2</sup> Dion Cass. lxxiii. 11; Spartian, *Did. Julian.* 3.

<sup>3</sup> J. Capitolin. *Clod. Albinus*, 2, foll.

<sup>4</sup> The mutinous praetorians resembled the Janissaries also in their cowardice during the 17th and 18th centuries, until their dissolution.—N.



which were otherwise quite foreign. Severus was undoubtedly descended from a family belonging to that conventus.<sup>5</sup> Leptis was still so completely a Punic town, that the sister of Severus, on her arrival at Rome, could speak only broken Latin.<sup>6</sup> Those places in Africa had kept themselves quite distinct; and even in the towns, the predominant language was Punic. Severus himself, however, was well acquainted with Greek and Roman literature, and was a good writer in each. But we possess, unfortunately, only one letter concerning which there can be no doubt that it is his; it is exceedingly well written, and with great spirit,<sup>7</sup> so that we have reason to lament the loss of his memoirs. At the time when he entered Rome as emperor, he was in his forty-seventh year, and had greatly distinguished himself in all circumstances, in the administration of provinces as well as in the command of armies. It is a peculiar feature in his character, that he was extremely partial to foreign religious rites, and to the arts of astrologers and soothsayers. We find in general that foreign religions were at that time spreading very much among the Romans; and this tendency was paving the way for the reception of Christianity also, which would otherwise have met with greater difficulties. Many people adopted it as they would have adopted any other theurgia, such as the Orphic; and hence Christianity now began to emerge from its obscurity, though it had not yet obtained any political importance. Severus himself, but more especially his wife, Julia Domna, a Syrian, was favourably disposed towards Christianity, though she confounded it with magic ceremonies. Uncction was at that time often prescribed as a remedy in cases of illness, and Severus had once received it in a

severe attack of illness; and as he attributed his recovery to the influence of the unction and to the prayer of the bishops, he afforded protection to Christianity by special regulations, which he sent to the governors of the provinces. He was an extremely handsome man, with a beautiful countenance, and a nobly-formed head; his venerable and noble physiognomy is still seen in his busts. The great charge, which is brought against him is that of cruelty, of which it is impossible to acquit him. It was shewn more particularly after the fall of Clodius Albinus, when forty-one senators were put to death for having espoused the cause of Albinus. If the statement of Aelius Spartianus<sup>8</sup> is true, that women and children too were murdered, the crime is still more horrible: but Spartianus is a thoughtless and contemptible writer, and we cannot rely upon him.<sup>9</sup>

The war against Pescennius Niger is of a peculiar character. Avidius Cassius had been treated with so much favour at Antioch and Alexandria, that I cannot help suspecting that the power of circumstances was already working towards the separation of the East from the West, which actually began under Diocletian, and was carried into effect by Theodosius. The Greek language also had become as generally prevalent throughout the East, as the Latin was throughout the West. In the reign of M. Aurelius, Pescennius Niger had acquired great reputation as an eminent general; and the strictness of his discipline among the troops was particularly esteemed by the emperor. But if we compare him with Severus, he was a man of a mild disposition, and was generally beloved. Severus crossed the Hellespont; and all his movements were brilliant and decisive. He first defeated one of his rival's generals at Cyzicus, and then Pescennius Niger himself in the neighbourhood of Issus. Niger was killed, and all the eastern

<sup>5</sup> Statius wrote a beautiful poem upon one Septimius Severus, who was no doubt one of the emperor's ancestors.—N. (*Silvae*, iv. 5).

<sup>6</sup> Spartian. *Sept. Severus*, 15.

<sup>7</sup> J. Capitolin. *Clod. Albinus*, 12. Compare c. 7, where another short letter said to have been addressed by him to Clod. Albinus is preserved.

<sup>8</sup> *Severus*, 11.

<sup>9</sup> He is so rash in his assertions, that he takes Caracalla for a son of Severus by his first wife.—N.

provinces submitted to the conqueror. Byzantium alone offered a desperate resistance, and held out for three years, until at length Severus, in his indignation, took and completely destroyed the town. The resistance of Byzantium is almost unaccountable; it is, however, not impossible that the Byzantines had so much offended the emperor, that they may have dreaded severe treatment; but they may also have been conscious of the importance of the site which their city occupied, and may have wished even then that it should be the capital of the eastern empire, for which nature herself seems to have destined it.

During this war Severus had gained over his other competitor in Gaul, Clodius Albinus, who was a man below mediocrity in every respect. He was likewise a native of Africa, and claimed to be descended from the noble family of the Postumii; but Severus, in a letter addressed to the Roman senate,<sup>10</sup> charges him with making false pretensions, and states that he was a mere African, and not even of Italian descent. At all events, he was a person of little importance, as is evident from the fact of his being so easily duped; for when Severus offered him the dignity of Caesar he was perfectly satisfied, and was taken in by the very improbable promise, that Severus, who had children, would make him his successor.<sup>11</sup> After the fall of Pescennius Niger, however, Severus spoke to him in a different tone; and either a real, or merely suspected attempt at assassinating Severus, induced the latter to declare war against Albinus. A battle was fought in the neighbourhood of Lyons, A.D. 197, with great efforts on both sides. From the meagre account we have of this engagement, we see that Britain, Gaul, and Spain were already united under Albinus, and Severus gained the victory at a moment when he was on the point of losing it. Albinus was mortally wounded, and died under the hoofs of the horses. Severus made a

most cruel use of this victory, without taking any trouble to conceal from the senate the bitterness of his feelings. Besides the forty-one senators, many eminent men from Gaul and Spain paid for their attachment to Albinus with their lives. The imprudence of the Roman senate in regard to Albinus is inconceivable: the senators must have considered the issue of the contest so uncertain, as to believe that the probability of success was greater on the side of Albinus than on that of Severus: a mistake for which they had to pay fearfully.

After Severus had obtained the undisputed possession of the empire, his government was not only glorious, but excellent and mild too. The German nations were quiet after the Marcomannian war; though we do not know what kept them so. But he made two expeditions against the Parthians: in the first he led his army into Adiabene, the country east of the Tigris, and Arabia, which, like Osroene, were in the condition of feudal kingdoms under the Persian supremacy; but according to the greater or lesser energy of the Parthian sovereigns, the rulers of those countries were more or less independent kings. Severus accordingly conducted the first campaign without being at war with the Parthians themselves. The second expedition, however, was directed against the Parthians. Severus took the flourishing city of Ctesiphon, which had been built by the Parthians opposite to Seleucia as a rival to the latter: the town was given up to the soldiers and plundered. It is strange that Severus did not make the country a Roman province; but the emperors were in a sad position, for they were almost compelled to carry on wars perpetually, as peace produced general effeminacy. Severus, therefore, merely concluded peace, gave back Babylon, but retained Adiabene, which became tributary to Rome. Mesopotamia and all Arabia now recognised the supremacy of Rome; but the kings of those countries were left in possession of their kingdoms.

After this Severus had to carry on

<sup>10</sup> J. Capitolin. *Clod. Albinus*, 12.

<sup>11</sup> Dion Cass. lxxiii. 15; Herodian, ii. 15; J. Capitolin. *Clod. Albinus*, 3, 7.

another war in Britain. It is surprising to find that he thought it necessary to employ all the powers of the empire against the weak Caledonian barbarians. He was accompanied in this expedition by his two sons, Caracalla and Geta, both of whom were destined to become his successors. Caracalla, the elder, who was then twenty-two years old, already acted as the colleague of his father; and Geta, who was several years younger, had received the title of Caesar: he is the first who occurs in inscriptions with the title of *Nobilissimus*.<sup>12</sup> Before his death Severus raised both his sons to the rank of Augustus, and bequeathed the empire to them.

Severus strangely declared himself the adopted son of M. Aurelius, and accordingly called himself *M. Aurelius Antoninus, M. Aurelii filius, T. Pii nepos, etc.* It cannot be supposed that he intended to deceive anybody by this fictitious adoption, except perhaps the common people; but he probably assumed that name merely to intimate that he was the legitimate sovereign of the empire. For the same reason he called his elder son M. Antoninus, his real name being M. Bassianus, which he took from his maternal grandfather.<sup>13</sup> He, as well as Geta, was the son of Julia Domna, a Syrian woman, whom Severus is said to have married on the recommendation of astrologers, who declared that her horoscope announced that she would become the mother of princes.<sup>14</sup> She

was a person of great intellect, but of very loose conduct, for which, however, she afterwards did penance by what her maternal heart had to suffer from her own sons, who were anything but noble or praiseworthy. Geta excites our sympathy chiefly because he fell a victim to his brother; but it is by no means clear whether he was at all better than Caracalla, for the stories related about these two brothers prove very little. They hated each other from their childhood; but their hostility began to assume a fearful character soon after the death of their father, in A.D. 211, when they succeeded him in such a manner, that Geta, as the younger, was made in every respect inferior to his brother. Their natural hostility was thus fostered by their position, and increased by the evil disposition of Caracalla. The attempts of their mother to bring about a reconciliation led to no results. The natural tendency of the Romans at that time was to a division of the empire, an idea to which Caracalla was quite alive. But as the eastern portion, which was to be given to Geta, was too small, the plan was abandoned on the advice of Julia,<sup>15</sup> who now made other endeavours to establish peace between them. Caracalla agreed to her proposals, and the two brothers were to meet in their mother's room; but Caracalla's only object was to get his brother into a place where he could murder him. The unhappy young prince was accordingly assassinated in the arms of his mother, A.D. 212. From this time Caracalla ruled alone, under the name of M. Antoninus, in accordance with his fictitious adoption. The disposition of the minds of persons at that time corresponded to the despotism under which they were suffering: it was of a quite oriental nature. People

<sup>12</sup> *Νοβιλίσσιμος* in the Byzantine writers is synonymous with Caesar.—N.

<sup>13</sup> In the Pandects he is called throughout *Antoninus Magnus, Divus Antoninus, or Imperator Noster Antoninus*. He is also mentioned under the name of *Imperator Magnus*. Our historians state that the name of Caracallus (not Caracalla) was a nickname given to him by the people. Modern writers generally call him Caracalla; but in the "Historia Augusta" this name occurs only once, and that in the form Caracallus. I dislike it as much as the name Caligula; but to call him Antoninus would be a profanation of that name.—N.

<sup>14</sup> There has been discovered at Rome an amulet of finely wrought silver, with magic inscriptions, the seven-branched candlestick of Jerusalem, and the usual Christian monogram. The inscription is Greek mixed with barbarous and unintelligible forms. It con-

tains, however, express allusions to Christianity, and states that whoever wore the amulet would be sure to please gods and men. It is an example of that curious mixture of Judaism, Christianity, and Paganism, which we so frequently meet with about the beginning of the third century. This amulet has not yet been described.—N.

<sup>15</sup> Herodian, iv. 3.

were not much affected by the murder of Geta : even Julia Domna, although Geta had been her favourite, did not change her conduct towards her elder son who had murdered him ; and she appears to have looked upon Geta's death as an unavoidable stroke of fate.

It is to be regretted that we know so little of the political regulations introduced by Severus, for it is evident that he must have made great changes, especially in regard to Italy. I myself have no doubt that it was he who appointed a *corrector* for each region of Italy, although this office is not mentioned till after his time. I do not mean to say that in his reign each region actually had its *corrector* ; several regions may have had one *corrector* in common, but the regulation was that each should have one. The nature of the office of these *correctores* is very obscure ; but it is probable that they had or were to have legal jurisdiction in their respective districts. The manner in which justice was administered in Italy after the Julian law, is little known ; it must have been attended with such practical inconveniences, that some remedy was absolutely necessary. This is a subject which still

requires a thorough investigation, and a rich harvest is yet to be made. It will require much combination, but there are various things in the collections of laws as well as in inscriptions, which will be of great assistance. Traces of the fact that the jurisdiction in the various districts of Italy was given as a commission to persons of rank and distinction, occur even before the time of Hadrian. This emperor himself divided Italy, with the exception of Rome, among four consulars,<sup>16</sup> and it is my belief that he gave to the *praefectus urbi* the jurisdiction over a district of 100 miles around the capital. Antoninus Pius, who was for a time appointed to this office, kept up the same system, but afterwards it was discontinued. After the reign of Severus, the *correctores* are regularly mentioned, and they must have been instituted by him. The question, as to what was the extent of the power of a *corrector* in his district, is a different and very uncertain one.

<sup>16</sup> Spartianus, *Hadrian*, 22 ; J. Capitolin. *Antonin. Pius*, 2 ; Appian, *De Bell. Civil.* i. 38.

## LECTURE CXXXVI.

IN A.D. 212, Caracalla became the sole master of the empire, and henceforth abandoned himself to the most reckless cruelties and extortions. His cruelty was of the same kind as that of Commodus ; but his extortions were carried on even more systematically, for Commodus had confined himself to Rome, which he never quitted ; but Caracalla committed his acts of extortion and fury just as much in the provinces which he visited as in the capital. It is a good remark of Gibbon's that the tyranny of the emperors was felt chiefly at Rome, less in Italy, and that the provinces had but seldom to suffer from it. Under good emperors the provinces were

often worse off than under bad ones ; but Caracalla unfortunately travelled from one province to another ; he traversed the whole of the East ; Greece, Asia Minor, Syria, and Egypt were the scenes of wild bloodshed, and the population of those countries was driven to despair. His only care was to satisfy the soldiers. After disbanding the praetorians whom he had found on his accession, Severus had placed the new corps which he formed on a different footing. Whether they had before always remained in their praetorian camp and at Rome, or whether they had accompanied the emperors on their expeditions, I cannot say ; but they were at all events



very unwarlike. Severus raised their number to 30,000 or 40,000 men, whom he selected from the legions: they now received larger pay, and were also considered to be of higher rank than before.<sup>1</sup> In his reign, and in that of his son Caracalla, they did not all remain at Rome, but accompanied the emperors: accordingly we find them with Caracalla on his travels through the eastern provinces. Among the enormities which occurred during his progress, none was more horrible than the massacre of Alexandria. Having led the people out of their city, and lulled them into security, the emperor surrounded them with his soldiers, and ordered them to be cut down. The Alexandrines had imprudently provoked him, as they had provoked even the best of emperors.<sup>2</sup> Antioch and Alexandria were the seats of wit; and there seldom passed a day without some witty joke being made or placarded in the theatres: the one which had been made upon Caracalla alluded to his having murdered his brother, and he took bloody vengeance for it.<sup>3</sup>

Caracalla gave the Roman franchise to all the subjects of the empire, and thus put an end to the *peregrinitas* throughout the Roman world. What induced him to do this was the imposition of a new tax, for which he probably wanted to make up by conferring the honour of citizenship upon all his subjects. This tax was the increase of the *vicesima hereditatum*, to a *decima*,<sup>4</sup> which was imposed on Roman citizens only. But there still remained persons who were not Roman citizens; for Ulpian speaks<sup>5</sup> of *Latini colonarii* as still existing: it was only the *peregrinitas* that was abolished, but freedmen might have entered into a quite different relation. Caracalla raised the taxes to an unbearable height; and his only object in doing so was to win the favour of the soldiers, whom

alone he thought worthy of his attention. Severus himself had said that an emperor who was sure of the soldiers had no reason to fear. This was a truth indeed, but a fearful one.

In many points Caracalla resembled Commodus, such as his fondness for gladiatorial exhibitions and the like; but he was of smaller stature, and not so strong and handsome as Commodus. He had a strange partiality for Alexander the Great; if the bust of Alexander which we possess is not a forgery, there was some resemblance between Caracalla and the Macedonian conqueror; and it may have been this resemblance that gave rise to his foolish desire to imitate Alexander. The province of Macedonia was, for this reason, the only one in the empire on which he conferred real benefits: he further formed a phalanx of Macedonians, and even assumed the name of Magnus, so that we find him called Antoninus Magnus. The idea of overthrowing the Parthian empire was also suggested to him by the exploits of Alexander; and when he invaded that country, he was accompanied by his Macedonian phalanx. He shewed in all things a great partiality for what was Greek; and it is not improbable that this partiality was greatly attributable to his Syrian mother.

He made war upon the Parthians without the least provocation on their part. According to Herodian,<sup>6</sup> he acted with monstrous treachery towards Artabanus, whom he tried to take prisoner during an interview to which he had invited him: he also murdered a number of Parthians. But the detail of all those occurrences is very doubtful. Severus had already taken possession of Osroene. The dynasty of its king, Abgarus, had occupied the throne at Edessa for three hundred years, whence the legend of one Abgarus writing a letter to our Saviour, in which he implored his assistance in an illness.<sup>7</sup> The present Abgarus was a vassal

<sup>1</sup> Dion Cass. lxxiv. 2; Herodian, iii. 15.

<sup>2</sup> J. Capitolin. *M. Antonin. Philos.* 25.

<sup>3</sup> Herodian, iv. 9; Dion Cass. lxxvii. 23; Spartian. *Antonin. Carac.* 6.

<sup>4</sup> Dion Cass. lxxvii. 9.

<sup>5</sup> NIN. 4.

<sup>6</sup> iv. 10, foll. Compare Dion Cass. lxxviii. 1.

<sup>7</sup> Eusebius, *Hist. Eccles.* i. 13.

king of the Parthian empire, but subject to Rome; and Caracalla now expelled him from his kingdom, and changed Osroene into a Roman province. But, while serious preparations were there making for the Parthian war, Caracalla was murdered A.D. 217, in a conspiracy headed by M. Macrinus, the *præfectus prætorio*, who saw that his own life was in danger. The soldiers, however, were indignant at the emperor's death; and had not Macrinus succeeded in deceiving them, he would not have escaped from their fury.

As, however, the army wanted a leader, M. Opilius Macrinus was proclaimed emperor. The testimony of Dion Cassius,<sup>8</sup> his contemporary, and Herodian, that he had honourably discharged the duties of the high offices to which he had been appointed, is worth more than the opinions expressed in the "*Historia Augusta*."<sup>9</sup> Whether, if he had lived longer, he would have been a praiseworthy sovereign, and would have conducted the government in a noble manner, would have depended upon his obtaining the mastery over the soldiers. The moral dissolution of the army had increased to a monstrous degree under Caracalla, who had connived at every thing it did. In the reign of Severus, the soldiers had been kept in check: they trembled before him, and never thought of rising against him. Macrinus endeavoured to restore discipline among them: and, as he could not safely take from them what his predecessor had senselessly given them, he tried to diminish the expenditure, at least as far as he could. It appears to me probable that he disbanded whole legions as veterans: he then formed new legions, or recruited the old ones with new men, and enlisted them upon lower terms. But it was to be foreseen that the old soldiers would not tolerate this. Whether the state could afford what they wanted, was a question about which they gave themselves no concern, and they revolted.

They would perhaps have chosen Maximinus as their leader, had not young Avitus been brought forward.

Julia Domna, the widow of Severus, had put an end to her life after the death of Caracalla, as she was condemned to solitude by Macrinus.<sup>10</sup> Her sister Maesa had likewise been removed from the court, and was now residing at Emesa. Both were the daughters of one Bassianus. Maesa had two daughters, Soaemis and Mamaea, both of whom were married in Syria. The names of their husbands are Roman. Soaemis was married to Sex. Varius Marcellus, who, notwithstanding his name, may have been a Syrian, though the high offices with which he was invested might incline us to believe that he was a Roman; and the younger, Mamaea, to Gessius Macrianus. Each of these two sisters had a son; Soaemis had also several daughters, and Mamaea at least one. The son of Soaemis was Avitus, the same who afterwards assumed the name of Aurelius Antoninus, and is better known under the name of Elagabalus or, as it is corrupted, Heliogabalus.<sup>11</sup> His real name was Avitus, or Bassianus; but people at that time assumed a new or dropped an old name for the most trifling reason. He was then, at the utmost, seventeen years old: he was a complete Syrian, both by education and through all his relations, and was priest of the god Elagabalus at Emesa, where meteors, which had once fallen from heaven, were worshipped as divinities. His grandmother Maesa and his mother Soaemis declared that he was the offspring of an adulterous intercourse between Caracalla and Soaemis. Macrinus was imprudent enough to let this pass without taking any precautions. Maesa collected her immense riches at Emesa, and found numbers of soldiers ready to accept her bribes and enter into her schemes. Macrinus at first did not attach much

<sup>10</sup> J. Capitolin. *Opil. Macrin.* 9; Dion Cass. lxxviii. 30.

<sup>11</sup> The word *Helios* is introduced into the name without any reason, and has nothing to do with it.—N.]

<sup>8</sup> lxxviii. ii.

<sup>9</sup> J. Capitolin. *Opil. Macrin.* 2, foll.

importance to an affair conducted by a couple of women and a very insignificant young man. But Maesa unexpectedly succeeded in transferring to Elagabalus the partiality which the soldiers had felt for Caracalla, by promising them still greater advantages. The consequence was the defection of a great part of the army. If Macrinus had at that moment acted quickly and energetically, he would have gained the upper hand; for, in the battle which decided the question, a great number of the Roman soldiers, and even the praetorians, displayed more bravery and fidelity to Macrinus than had been anticipated. But Macrinus despaired too soon, and fled from the battle to Asia Minor with his son Antoninus Diadumenianus, who had already been raised to the rank of Caesar. Both were overtaken in Bithynia, and put to death A.D. 218, by the command of the young tyrant.

The name of Elagabalus is branded in history above all others; for Caligula and Nero, if compared with him, appear in a favourable light. Caligula was not so beastly as Elagabalus: and if Nero equalled him in this respect, still he was a man of some talent; whereas Elagabalus had nothing at all to make up for his vices, which are of such a kind that it is too disgusting even to allude to them. His reign was disgraced, not so much by cruelty, although some cruel acts occurred, as by his prodigious extortions, which he made to defray the expenses of the maddest luxuries. He had a passion for everything that degrades human nature, and was enthusiastic in increasing the lustre of his idol Elagabalus, whom he raised to the place of the Capitoline Jupiter as the supreme divinity of the Roman world, and in whose service he endeavoured to combine the religion of Syria with the obscenities of the Carthaginian worship. While he was leading his unspeakably disgusting life, he prepared his own ruin; for the soldiers began to despise him, notwithstanding all the advantages which he bestowed upon them. He would have been murdered as early as the year

A.D. 221, if he had not adopted his cousin Alexianus, afterwards Alexander Severus, on the suggestion of his grandmother Maesa.<sup>1</sup>

Alexander Severus, the son of Mamaea, was then about seventeen, or according to Herodian, only thirteen or fourteen years old.<sup>12</sup> His nature was completely the opposite of that of his cousin. He was a young man of noble character, and very much resembled M. Aurelius, with this difference, that the latter was a specimen of a noble European, the former of a noble Asiatic nature. He was born at Arca Caesarea in Phoenicia, and learned the Latin language at Rome, though he was always looked upon as a *Graeculus*, and not as a Roman.<sup>13</sup> It is impossible for a man to possess a better and purer will or a nobler heart than young Alexander Severus. The beautiful expression of youthful innocence which beamed in his countenance won even the hearts of the rude Roman soldiers, and they were attached to him with their whole hearts. Elagabalus soon regretted the adoption, and as he made attempts upon Alexander's life, a report of the latter's death caused an insurrection, which was quelled with great difficulty. Afterwards Alexander was honoured with still greater distinctions than before. Abject as Elagabalus was, he was quite conscious of his own depravity, and felt that it was impossible for him to be tolerated by the side of his cousin. He therefore formed a fresh plan for murdering him. But Alexander escaped, and, a fearful insurrection broke out, in which Elagabalus was cut down by the soldiers, A.D. 222. His body was dragged into the Tiber, and curses were pronounced upon his memory.

The reign of Alexander Severus, who was now proclaimed emperor, lasted thirteen years, till A.D. 235. We are somewhat in danger of representing his reign in too favourable a light; for Lampridius and others seem

<sup>12</sup> Lamprid. *Alex. Severus*, 60; Herodian, v. 3.  
<sup>13</sup> Lamprid. *Alex. Severus*, 3.

to have made him the subject of a sort of "Cyropaedia." His personal amiability and kindness, however, as well as his zealous endeavours to discharge his duties, cannot be denied; and these qualities form a strong contrast between him and most of his predecessors. M. Aurelius was the model he strove to imitate; but, weak as that emperor had been in regard to his wife Faustina, Alexander was still weaker towards his mother Mamaea, and his government was in reality her regency.

On the one hand we read of a great reduction of the taxes,<sup>14</sup> while on the other we hear of great complaints of his mother's avarice,<sup>15</sup> which are contradictory things; for, although this avarice may have consisted in her collecting, according to the Eastern fashion, treasures and jewels, yet the general complaints of his weakness towards his mother are rather loud.

I have to mention a remarkable institution which belongs to this time. The state-council, which was formed in the reign of Hadrian, appears to have fallen into desuetude under Septimius Severus; but we now find it perfectly developed under Alexander Severus, when it formed a standing council conducting all business of importance; Domitius Ulpian, the great jurist, was the president of it, and at the same time commander of the praetorian guards. The descent of Ulpian's family from Tyre, which made him a countryman and perhaps a relative of the emperor, may have contributed in some measure to establish the connexion between him and Alexander Severus. But I do not believe that Ulpian himself was born at Tyre, as I have shown elsewhere; and those who assert this infer from his words more than they warrant.<sup>16</sup> If he had been a native of Syria, he could not have become such a perfect master of the Latin language, or of the Roman

law. He must have been at Rome for a long time, which is not incompatible with his being a relation of the emperor.

Alexander had to struggle with insurmountable difficulties in his endeavours to promote the public good. The main difficulty, however, lay in the power of the soldiers, of whom he could not get rid. The mutinous character of the soldiers was now no longer confined to the praetorians, but had spread throughout the Roman armies, and there was no means by which the emperor could have obtained the mastery over them. If we may trust the anecdotes related of him, he displayed on many occasions great firmness, notwithstanding his natural gentleness; but he did not succeed in dangerous emergencies, and he was unable to save Ulpian. As Papinian had been murdered by Caracalla, so now Ulpian was murdered by the soldiers in the palace before the eyes of the emperor, who in vain endeavoured to protect him, and whose entreaties and humiliations were of no avail. He was scarcely able to punish Epagathus, the ringleader of the rebels.

M. Aurelius had been successful towards the end of his life; he had repelled the Marcomanni and made them wish for peace. Commodus had purchased their abstinence from hostilities, and under Septimius Severus we hear nothing of German wars. The Romans seem to have been in undisturbed possession of Germany as far as the *limes*. But the Germans now began to advance; and I believe that it was under Alexander Severus that they broke through the *limes*, for when at the close of his reign he was obliged to go to Germany, the seat of the war was on the Rhine. The frontier wall, therefore, must have been broken through, and the Germans wished to take possession of the country west of the Rhine. Unfortunately scarcely anything is known of the geography of those countries in ancient times.<sup>17</sup>

<sup>14</sup> Lamprid. *Alex. Severus*, 39.

<sup>15</sup> Lamprid. *Alex. Severus*, 14.

<sup>16</sup> *Digest*. 50, tit. 15, s. 1: est in Syria Phoenice splendidissima Tyriorum colonia, unde mihi origo est. Comp. Niebuhr, *Kleine hist. u. phil. Schriften*, vol. 1, p. 321.

<sup>17</sup> In many parts of Suabia we find traces



Some years before the German war, a great revolution in the East had called for the presence of the emperor. This was the fall of the Parthian dynasty, an event which was most unfortunate for the Roman empire, but which it is not difficult to account for. It was only a repetition of what we frequently see in Asia. When a pastoral nation obtains the sovereignty of a cultivated country, as was often the case in Asia, it gradually loses its warlike character; it sinks down to a level with the subdued, and although it no longer excels them in bravery, it continues for a time to keep them in submission, as though it still possessed its former superiority. The Parthian empire was based on feudal

principles, and the kingdoms of Media, Persia, Babylonia, and others, were, at least in the earlier times, vassal principalities, with dynasties of their own. Formerly the Parthians had been very formidable enemies to the Romans; but in the wars under M. Aurelius and Septimius Severus, their defeats by Priscus and Avidius Cassius had broken them down very much. The conquest of Ctesiphon (in A.D. 198), had been very easy, and that blow had probably shaken the Parthian empire so much that its subjects could begin to think of shaking off their yoke. We here have the very authentic history of Agathias as our guide.

## LECTURE CXXXVII.

THE character of the Parthians must have become completely altered since they had adopted the manners and mode of living of the conquered people. Their excellent light cavalry, for instance, is very rarely mentioned in the latter period of their history, which fact alone is to me a proof that they had lost their nationality. The most severe blow that had been inflicted upon the Parthian empire had been the taking of Ctesiphon; and the nations, which had till then patiently borne the Parthian yoke, now rose against their rulers. We usually consider this insurrection in the same light in which we look upon that of the Persians under the great Cyrus against the Medes, in which the inhabitants of Persia shook off the dominion of the Medes; but I believe that the cases are somewhat different; the difference between the Parthians and the other tribes resembles that which now exists between a nomadic people and the inhabitants of towns;

and those who now rose against the Parthians, were, on the whole, probably the Tadjiks of the Iran race, that is, the inhabitants of the towns who occur throughout Persia under the name of the Tadjiks, who speak a peculiar idiom of their own, and whose abodes begin on the Oxus; whereas, in the time of Cyrus, the Medes and Persians were two essentially distinct nations, although in the course of time the former must have become completely Persians, for they now had the same language, and Irak Adjemi had probably preserved the language of the Medes.<sup>1</sup> Now in a struggle, the particulars of which are utterly unknown to us, the Persians succeeded in throwing off the yoke of the Parthians, who after this are no longer mentioned in history, nor do we know what became of them. The Persian empire was now restored and rose again, and several of their ancient institutions were revived. The Parthians had been barbarians; they had ruled over a nation far more civilised than themselves, and

of Roman fortresses, of which ancient geography tells us nothing; we are ignorant even of their names.—N.

<sup>1</sup> An examination of this question would be very interesting.—N.

had oppressed them and their religion, offending against their worship of the elements by a foreign idolatry. The Persians who restored the kingdom were now governed by Ardschir, the son of Babek, whom the Greeks call Artaxerxes or Artaxares, and who claimed to belong to the race of the Sassanidae;<sup>2</sup> the story of his being a son of Babek is very apocryphal.<sup>3</sup> Ardschir also restored the ancient fire-worship, but during the sway of the Parthians a great many new opinions and religious rites had been introduced among the Persians which it was not easy to eradicate, and hence the Byzantine writers are quite right in asserting that the later religion of the Persians was essentially different from that which had prevailed among them in the earlier times. Although Ardschir removed the monuments to Persepolis, yet this city was no longer the centre of the empire, which was henceforth at Ctesiphon in Media. Susa was then uninhabited, and Ecbatana had become an insignificant place. After having established the dominion of the Persians, Ardschir, in compliance with the wishes of the nation, which was elevated by the consciousness of having accomplished a great thing, laid claims to extensive countries then belonging to the Romans, the decline of whose power cannot have escaped him; and he demanded that they should give up to him all the countries as far as the Aegean and the Propontis, on the ground that Asia naturally belonged to the Persian empire, as Europe belonged to the Romans.<sup>4</sup> To this demand the Romans answered by declaring war, and Alexander Severus went to the East. The state of our information respecting the issue of this war is a remarkable instance of the extent of our ignorance concerning those times. We have two contradictory accounts of the operations of

Alexander Severus and their results. The one which Herodian<sup>5</sup> gives, and which is recommended by internal probability and precision, makes Alexander, after his arrival at Antioch, invade the enemy's country with three armies. The first marched from the north through Armenia, along the right bank of the Euphrates, the second was in Media, and the third was to keep up the communication between the two in Mesopotamia. The first of these armies, after having gained various advantages, was compelled by the difficulties of the country to retreat; the second was quite annihilated; and the third, which was commanded by the emperor himself, did not accomplish its object. This account is contradicted by an official document addressed by the emperor to the senate, in which he ascribes to himself the most complete victory,<sup>6</sup> for which the senate granted him the honour of a triumph. Gibbon and Eckhel, the two most distinguished writers on the history of the Roman empire, are of different opinions upon this point; and I feel obliged to adopt that of Gibbon notwithstanding my great veneration for Eckhel.<sup>7</sup> The latter looks upon it as a moral impossibility that the emperor should have invented his report; but the vague and pompous phraseology of the document itself excites our suspicion; that the emperor only intended to gloss over his defeat. Herodian, moreover, lived so near the time of those events,

<sup>5</sup> vi. 5, foll.

<sup>6</sup> Lampridius, *Alexander Sever.* 56.

<sup>7</sup> Eckhel is a man of whom Germany may be proud. He occupies a very high rank on account both of his learning, and of the extraordinary power and soundness of his judgment. His merits have never yet been duly recognised. His excellent work, "*Doctrina Numorum Veterum*" is of the highest value. The history of the emperors, and the critical investigations concerning chronology, although they form in reality only a subordinate part of the work, are of the highest excellence. His freedom from prejudice, his justice and love of truth, are qualities of the greatest importance in an historical inquirer. There are few men among modern scholars to whom I am so much indebted as to Eckhel.—N.

<sup>2</sup> The expulsion of the Parthians and the restoration of the Persian empire by Ardschir, is represented in a bas-relief, which is still extant at Persepolis.—N.

<sup>3</sup> Agathias, ii. 27.

<sup>4</sup> Dion Cass. lxxx. 4; Herodian, vi. 2 and 4; Zonaras, xii. 15.

and in the things which he knows he shews so much good sense, that his minute account cannot be set aside to make room for the emperor's bulletin. Alexander Severus returned to Rome in triumph, and must have concluded a peace with the Persians, since we find peace existing until the time of Gordian, and Maximinus is not known to have sought laurels on the eastern frontiers. Rome must on that occasion have lost many parts of her eastern possessions.

At the same time the movements of the barbarians in the north of Europe called for the emperor's presence, and even if Alexander had been successful against the Persians, he would have been obliged to quit Asia, and to take the field against the Germans. He accordingly marched from the East to the Rhine, but after having taken up his winter quarters there, he gave the army cause for complaint: the soldiers had to endure great hardships, and felt, as Herodian says, that they had no good guide. The minds of the soldiers, thus prepared for an insurrection, were stimulated still more by Maximinus, the first really barbarian adventurer that was raised to the imperial throne. Up to that time all the Roman sovereigns had belonged to distinguished families, perhaps with the exception of Macrinus, in regard to whom this can neither be asserted nor denied. Pertinax, it is true, was not a noble by birth, but he had been gradually raised, and, at the time when he became emperor, was a man of high rank. Maximinus, on the other hand, was a mere adventurer, and had risen from the very lowest condition. He was a native of Thrace; his mother was an Alanian woman, and his father a Goth, so at least it was said, though perhaps merely *ad invidiam augendam*, a thing not at all impossible with the wretched authors of the "*Historia Augusta*."<sup>9</sup> In the reign of Septimius Severus he had been a peasant, and had enlisted in the Roman army, where he was distinguished among the

soldiers for his gigantic stature and herculean strength, and excited general admiration. His courage and valour accorded with his figure, and with them he combined all the qualities of a good subaltern officer. Septimius Severus raised him from one post to another; and Alexander Severus, whose attention was drawn towards him, promoted him to the command of a legion, the discipline of which was soon restored by Maximinus. This shews that he cannot, after all, have been an ordinary man; he must have had a true soldier's nature; a person who was able to make himself popular with a demoralised army, notwithstanding his strictness and cruelty, must have possessed some extraordinary qualities. He was the first Roman emperor who was altogether without a literary education; nor did he try to obtain that culture in which he was wanting; he did not even understand Greek;<sup>9</sup> for the Thracians were no longer Greeks, but Wallachians, and spoke a sort of vulgar Latin, though in the coast towns and in the large cities of the interior, such as Adrianople, Greek may still have been spoken. Maximinus had attracted the attention not only of the common soldiers, but of the court also, and that to such a degree that Alexander Severus contemplated giving his sister in marriage to a son of Maximinus, an amiable and refined young man, and he hesitated only on account of the father's rudeness.<sup>10</sup> Had this been done, it would undoubtedly have been followed by happy consequences. While on the Rhine, Alexander, as I have already remarked, excited the discontent of the soldiers by his awkwardness and neglect, and the noble emperor, who certainly deserved a better fate, was murdered in A.D. 235, together with his mother, who accompanied him everywhere, in order to rule in his name.<sup>11</sup>

The year A.D. 235 was the beginning

<sup>9</sup> J. Capitolin. *Maximin.* 9.

<sup>10</sup> J. Capitolin. *Maximin.* *Fun.* 3.

<sup>11</sup> The history of Alexander Severus in the "*Historia Augusta*," is a panegyric full of falsehood.—N.

<sup>8</sup> J. Capitolin. *Maximin.* 1, foll. Comp. Herodian, vi. 8.

of a frightful period, after the mild and happy government of Alexander Severus. It is evident that Maximinus acted with a truly revolutionary hatred of all persons of refined manners and distinction, just like the terrorists in France. The senators, therefore, were the main objects of his hatred and persecutions, and that for no reason but because they were noble and wealthy persons. At that time, however, the senate was very far from being a venerable body of men, and I fear that the picture which Ammianus Marcellinus<sup>12</sup> draws of it is but too applicable to the period of which we are now speaking; but this is no excuse for cruelty. Maximinus disdained going to Rome, which was a blessing for the city; for had he gone thither he would undoubtedly have caused a massacre there like that of Caracalla at Alexandria.

There is no doubt that Maximinus carried on the war on the Rhine, and that on the upper and lower Danube, with success, though it may be questioned whether he gained permanent possessions north of the *limes*. He delivered Dacia from the barbarians, and commenced a war against the Sarmatians. The history of those wars, as it has come down to us, is comprised in a few words,<sup>13</sup> and our knowledge of that period is altogether scanty; we do not even know whether the Sarmatians inhabited the country on the lower or on the middle Danube. Maximinus spared no one; the first suspicion was enough for him to pronounce sentence of death upon a person. Such conduct led to general despair; and the consequence was an insurrection in Africa, which broke out in the provincial town of Thysdrus, where the agents of the tyrant were murdered, and two Romans of rank of the name of Gordian, father and son, both very able officers, were proclaimed Augustus and Caesar. Gordian the father was already eighty years old.

This insurrection, however, was of

a very short duration, and Mauretania took no part in it. Capellianus, the governor of Mauretania, remained faithful to Maximinus; he therefore quickly assembled an army of Mauretanians, who had never been entirely subject to Rome, and uniting them with the cohorts under his command, he marched towards Carthage, where the Gordians were staying. Nothing was easier than to induce those mountaineers of Mauretania to join in an expedition, provided the hope of rich plunder was held out to them.<sup>14</sup> The two Gordians had not made proper use of their time, and although they had only a very inconsiderable army, yet the younger Gordian ventured to march out against the enemy. His untrained soldiers were defeated, and he and his father lost their lives. The fate of Carthage, as well as the whole course of the insurrection, is buried in obscurity. Eckhel has investigated the history of those occurrences, and the results at which he has arrived appear to me to be true: he has made out that events down to the death of Maximinus and Balbinus must be compressed into the short period from the beginning of March till the end of August. Gibbon's chronology of the same events contains impossibilities, and is certainly incorrect. Eckhel does not allow himself to be misled by detached historical testimonies; but there are still considerable difficulties, which may perhaps one day be cleared up by the help of monuments and coins; but until that is done we cannot do better than follow Eckhel.

The Roman senate had had the desperate courage to recognise the Gordians, a resolution of which one would scarcely have thought the cowardly and unwarlike nobles of that time capable. Twenty commissioners had been appointed by the senate to conduct the preparations

<sup>12</sup> xiv. 6.  
<sup>13</sup> Herodian, vii. 1, foll.; J. Capitolin. *Maximin.* 12.

<sup>14</sup> The Mauretanians, as early as the time of the Antonines, had been in such a state of commotion, that they crossed the sea and ravaged Baetica in Spain.—N. (J. Capitolin. *M. Antonin. Phil.* 21.)



against Maximinus,<sup>15</sup> and the prætorian cohorts, which had remained at Rome, and seem to have been neglected by Maximinus, were gained over. The senate had further called upon all the provinces to rise against the tyrant. All Italy prepared for a desperate war, the towns were fortified, and the necessary preparations were going on, when intelligence of the unfortunate issue of the African insurrection was brought to Rome. There was now no choice left, but to proceed in the path that had been struck into. The loss of Africa, however, was not of great importance. Two of the twenty commissioners, Maximus Pupienus and Caelius Balbinus, were now proclaimed emperors by the senate. Two sovereigns were elected in this instance, either because a want of two was felt, or because it was hoped that the absolute power conferred upon them would be moderated by being divided. But my conviction is that there were two parties among the senators, one of which wanted to raise Maximus, the other Balbinus, to the imperial dignity, and that a compromise was made between them by electing both emperors. Balbinus, if at this time an inference may be drawn from a name, was a man of noble birth, and probably belonged to the Caelii, his full name being Decimus Caelius Balbinus. The name of Maximus on coins is M. Clodius Pupienus Maximus; but the author of his life in the "*Historia Augusta*" is so ignorant that he does not know whether Maximus Pupienus was the name of one or of two persons.<sup>16</sup>

Balbinus remained at Rome, and Maximus, who marched out against Maximinus, fixed his head-quarters at Ravenna. There he organised his army, but was wise enough not to go out to meet Maximinus. His plan was excellent: all the bridges on the rivers were broken down, and Aquileia was provided with a strong and numerous garrison. The population

of that town made a desperate defence against the army of Maximinus, who besieged it; for they well knew what would be their fate if the place, into which all the people from the neighbouring country had withdrawn, should be taken. Maximinus was determined to make Aquileia his head-quarters; but the siege was protracted. His soldiers suffered much from fever in those marshy districts, and had besides to struggle with a want of the necessaries of life. An insurrection accordingly broke out among them, in which Maximinus and his innocent son, who had till then been generally beloved, were murdered.<sup>17</sup> It is surprising to find that Maximinus had been married to a very amiable and gentle woman; his son, Maximinus the younger, would probably have been one of the best emperors, if he had succeeded his father.

As regards the time at which Maximinus fell, the chronology set up by Tillemont and Gibbon is not possible. According to the common account, it appears as if Maximinus had carried on the war on the Danube for a whole year, while all Italy was in a state of insurrection. The course of events probably was that, after the senate had issued the circular against Maximinus, he was gradually deserted by one province after another; so that he was supported only by his army; and this circumstance accounts for his failures. A proof of his being deserted by the provinces is contained in a letter written previous to his death, and addressed to Maximus and Balbinus by the consul Claudius Julianus, who states that all the legions had recognised them.<sup>18</sup>

It was owing to the unaccountable popularity of the Gordians that, when Maximus and Balbinus were proclaimed emperors, a grandson of old Gordian—probably through his daughter—was raised to the rank of Caesar. His grandfather, Gordian, had borne the name of M. Antonius, although he had no connection with the family of

<sup>15</sup> J. Capitolin. *Gordian*. 10.

<sup>16</sup> J. Capitolin. *Maxim. et Balbin.* 18; compare *Gordian*, 10; *Maximin. Jun.* 7.

<sup>17</sup> Herodian, viii. 6; J. Capitolin. *Maximin.* 23.

<sup>18</sup> J. Capitolin. *Maxim. et Balbin.* 17.

the triumvir, M. Antony; he belonged, however, to one of the most illustrious among the ancient Roman families. After the fall of Maximinus, Maximus returned from Aquileia to Rome in triumph. The government of Maximus and Balbinus was praiseworthy, but it was very short. The soldiers

were annoyed at the success and victory of the senate, and hated the two emperors, in the election of whom they had had no share. The consequence was that the two venerable old emperors were murdered by the soldiers in their palace, and young Gordian was raised to the throne.

## LECTURE CXXXVIII.

AFTER the murder of the two noble princes, Maximus and Balbinus, the empire came into the hands of Gordian III., who was very young. His history is as obscure as that of the whole period in general. He had a *praefectus praetorio*, or prime minister, who was certainly not a Roman, and whose real name is doubtful. In the "Historia Augusta" he is called Misitheus, which name is rejected by Casaubon; and Zosimus<sup>1</sup> mentions him under the name of Timesicles. Either this name or Timesitheus, which occurs in an inscription (but whether it refers to the same person is uncertain), is undoubtedly more correct than Misitheus.<sup>2</sup> Gordian was married to Furia Sabina Tranquillina, the daughter of Timesicles. His good fortune forsook him on the death of his father-in-law, who fell a victim to Philippus. In the reign of Gordian the northern frontiers of the empire were in a state of commotion, as we must infer from some allusions in our authorities. But the occurrences in Persia, the king of which had taken possession of Mesopotamia, were of greater importance, and called for Gordian's presence in the East. If any confidence can be placed in the coins, we must believe that Gordian defeated the Persians, and gained the triumphal *insignia*, but still the war was not brought to a close, and he was obliged to prolong his stay in the East, where he was murdered by M. Julius Philip-

pus, the praefect of the praetorian guards.

M. Julius Philippus was a native of Bostra in Arabia Petraea. It is a mistake to speak of him as a Bedouin, for Bostra was a Roman colony, and a great number of its inhabitants must have been Romans. He is, indeed, called an Arab; but it does not follow from this that he was an Arab in the strict sense of the word. If he had been a Bedouin, he could not have been enlisted in a Roman legion, but would have remained in the cohort of the Idumaeans<sup>3</sup> east of the Jordan. It is not impossible that he may have risen at Rome in the time of Alexander Severus and Julia Domna. He was the murderer of his harmless, benevolent, and amiable young sovereign, of whom we possess a charming bust, the genuineness of which cannot be doubted.<sup>4</sup> Philippus concluded a peace with the Persians, which was as honourable to the Romans as the circumstances would allow. However, the storm which threatened the empire drew nearer and nearer.

The reign of Philippus is remarkable, not only because he celebrated, with incredible splendour, the great secular festival of the thousandth year's existence of Rome, but because the ecclesiastical historians generally suppose that Philippus was a Christian, and that he was consequently the first

<sup>1</sup> i. 17.

<sup>2</sup> Eckhel, *Doctrin. Num. Vet.* vii. p. 319.

<sup>3</sup> Other MS. notes have *Ituraci*.

<sup>4</sup> Bunsen, *Beschreibung der Stadt Rom*, iii. 1, p. 203.

Christian emperor.<sup>5</sup> Eckhel thinks that Philippus cannot have been a real Christian, as his coins bear too many pagan emblems. This, however, is the case also with the coins of Constantine the Great, whose notions of the Christian religion must have been extremely confused, and whose coins bear the emblem of the god of the sun. The statement that Philippus was a Christian derives some support from the fact that Origen addressed to him letters concerning the Christian religion. We must also remember that Bostra was situated in the neighbourhood of Pella, the real seat of the Jewish Christians, where Christianity had taken firm root; we cannot, therefore, altogether reject the statement that he was a Christian. There is a tradition in the Church that he did penance for the murder of his sovereign, and obtained absolution. The crime itself cannot have excluded him from the Christian community, though the absolution, if it was granted, was unjust. If we except the crime by which Philippus obtained the empire, his government deserves no blame; for he is not charged with any act of cruelty, nor with indulging in any vice. The secular games to celebrate the thousandth birthday of Rome must have been a highly interesting event for the Romans, but they were in themselves unchristian, or rather, altogether pagan solemnities; Philippus, however, may not have received baptism, but have been merely a catechumen, in which capacity he might continue till the end of his life, and not receive baptism till just before his death, as a purification from all his sins. He reigned upwards of four years, from A.D. 243 to 248. Shortly before his death, the legions of Moesia and Pannonia made an insurrection, and proclaimed Marinus, an officer in the army, emperor, whom, however, they put to death soon afterwards,<sup>6</sup> and Philippus then gave the command of those legions to Decius, who claimed, though certainly

without reason, to be a descendant of the ancient Decii. His real name was C. Messius Quintus Trajanus Decius,<sup>7</sup> and his alleged connection with the Decii is nothing but an invention, by which the genealogists of the time meant to pay him a compliment. Decius was a native of Illyricum; his birthplace was probably one of the military colonies which had been established there within the last two centuries, and by means of which the inhabitants of those districts had become completely Romanised. When Philippus raised Decius to the command of the revolted legions, Decius cautioned the emperor, and begged of him not to place him in a position in which he should probably be compelled to violate his faith; for the legions dreaded the punishment which they had deserved, and were not inclined to return to obedience. Philippus, however, insisted upon Decius undertaking the command, and the consequence was, that the soldiers compelled Decius to accept the imperial dignity, and lead them to Italy. Even there he is said to have repeated his assurances of fidelity to Philippus; but a battle in the neighbourhood of Verona, in which Philippus fell, decided the matter.

The writers of the "Historia Augusta," and Zosimus, who is a passionate pagan, make Decius a hero, and I will not detract from the fame of a man of whom so much good is said. But he was the first, after a very long interval, who instituted a vehement persecution of the Christians, for which he is cursed by the ecclesiastical writers, as much as he is praised by the pagan historians. The cause of this persecution must, I think, be sought for in a feeling antagonistic to the tendency of his predecessor. The accounts of the number of those who were murdered are highly exaggerated, as Dodwell has justly pointed out; but the persecution of Decius was

<sup>5</sup> Orosius, vii. 20; Zonaras, xii. 19.

<sup>6</sup> Zosimus, i. 20.

<sup>7</sup> At that time we frequently meet with persons bearing three or four gentile names at once, *praenomina* and *cognomina* being mixed up with them.—N.

yet a very serious one ; it interrupted the peace which, disturbed by a few trifling occurrences only, the Christian Church had long enjoyed. For one year and a half the episcopal see of Rome remained vacant ; and Decius is reported to have said that he would rather have a second emperor by his side than have a bishop at Rome. This shews the extensive influence which Christianity had obtained as early as that time, although the Christians formed but a small portion of the whole population. Among the high Roman nobility there was perhaps not one Christian ; but many persons of the middle classes had already embraced the new religion at Rome, Carthage, Alexandria, and especially at Antioch. In the East they were scattered very widely ; in the West they chiefly existed in the large towns ; in country districts there were scarcely any. The greatest part of Gaul knew nothing of the Christian religion ; which, according to all appearance, had taken root only in such towns as Arles, Marseilles, Lyons, and the like. The Acta of the martyrs at Lyons are quite authentic. In Spain, Christianity had probably not spread more than in Gaul ; but in Africa its adherents were very numerous and zealous, at a comparatively early period. In Greece proper their number was small ; but in the Ionic towns of Asia Minor it was very great.

I will here, at the middle of the third century, make a pause for the purpose of giving you some general views ; for, at this epoch, a circumstance not previously observed begins to become apparent. The coins and inscriptions belonging to the early period of the empire are not numerous : most of the extant sepulchral inscriptions are referable to the time extending from the end of the first century down to the middle of the third ; and by far the greater number of them commemorate the deaths of freedmen, so that the ratio of *libertini* to *ingenui* is nearly as ten to one. Most of the beautiful marble tombs of the great families have disappeared ; they were destroyed and plundered during the

middle ages, and the stones were used as building materials in the restoration of Rome. Nearly all the tombs extant belong to second or third-rate persons. After the beginning of the third century, the names of *ingenui* everywhere get into confusion. I do not remember a single tomb of a freedman, after the middle of that century : hence I infer that about that time a most important change took place in the state of the population. The importation of slaves must have ceased, occasioning an immense decrease in the number of persons in a household ; and the *libertini* seem now to have become *coloni*. There must have been some connecting link between these two classes of men ; but it will perhaps remain for ever impossible to ascertain its nature.

Senatorial provinces are mentioned as late as the time of Septimius Severus, but he is said to have taken them from the senate ; after the middle of the third century we hear no more of them,<sup>8</sup> and thus the way was paved for the regulations of Diocletian and Constantine.

Art in general had by this time sunk into a state of barbarism, as no one can deny who has examined the monuments. The art of making historical bas-reliefs, either separately or in series around pillars, had reached its height under Trajan, and continued to flourish under the Antonines, in whose reign some bas-reliefs were produced, which are excellent both in their conception and execution. I know of only one bas-relief belonging to the time of Antoninus Pius, in which, however, the decay of the art is quite manifest. Under M. Aurelius this art rose again. Architecture too was, in a certain way, at its height in the reign of Trajan ; but under Hadrian it sank ; for he had a corrupt taste, and patronised a corrupt style. The busts of M. Aurelius, and especially his magnificent equestrian statue in bronze, are of exquisite beauty. If the horse appears less so, it is merely because it belongs to a race which we do not consider beautiful, but it is nevertheless a work of great

<sup>8</sup> Vopiscus, *Florian*, 6 ; *Probus*, 13.



life and spirit. It must be acknowledged, that in the reign of M. Aurelius art in general had again risen very high; but this was its last revival. Even from the time of Trajan, art is only historical, and there is no subsequent monument of the plastic art of an ideal kind. Painting was completely at an end, as is expressly stated by Petronius: it had been decaying in the same proportion as mosaic had risen in favour, and the few paintings of that period still extant are horribly bad. We still possess some very beautiful busts of the time of Septimius Severus and Caracalla, and in the reign of the former beautiful statues also were produced; but the bas-reliefs on the triumphal arch of Severus are very bad, and those on the small arch of Severus, which the *argentarii* erected to him, are quite barbarous in their design. The revolution which then took place in art is very remarkable: the artistic eye, the taste, the sense of proportion, as well as technical skill, seem to have been lost all at once. After the time of Caracalla we scarcely find one good bust, though they may have been good likenesses; all that are extant are barbarous, and have mis-shaped heads. The figures on coins, too, grow worse and worse.

Before I drew attention to the state of literature in the third century, people usually considered Roman literature as perfectly barbarous, even as early as the beginning of that century.<sup>9</sup> The height as well as the end of juristical literature falls in the first half of the third century, the period of Papinian and Ulpian, both of whom, *diversis virtutibus*, were men of the highest eminence in their department, and among thousands of others scarcely one can be placed by their side. Both are excellent also in their style; and if there are some trifling mistakes in the language, yet the plastic nature of their style is so thoroughly Roman that a modern jurist who is unable to think

and write in Latin on his science has no excuse. With regard to Papinian and Ulpian every jurist ought to follow the precept which Horace gives in regard to the Greeks—*nocturna versate manu, versate diurna*. In the same manner as jurisprudence died away after their time, so had the great Attic oratory disappeared after the time of Demosthenes, and so also were Thucydides in Greece and Tacitus at Rome the last great historians. A considerable time afterwards there followed Hermogenianus and others, who were compilers. The scientific study of law was superseded more and more by the legislation of the imperial secretaries, whose laws were drawn up in an abominably bombastic style, which we may be thankful is somewhat curtailed in the *Codex*. If we look at the other branches of literature we first meet with Q. Curtius, for I am perfectly convinced that he lived in the time of Septimius Severus and Caracalla. In him we have an author who wrote an artificial language, that is, the language of Livy. The ingenious but obscene Petronius (who mentions Mamaea) lived somewhat later, under Alexander Severus, or perhaps even in the reign of Gordian. The excellent scholar Hadrian Valesius was the first who drew attention to the age of Petronius; the prelate Stephano Gradi at first passionately opposed the new theory, but afterwards gave a noble example of honesty by abandoning his opinion and completing the argument of his opponent. I have added some points which had been overlooked by those scholars, such as the passage about Mamaea, and a sepulchral inscription of the reign of Alexander Severus, which clearly bears upon the question. The language of Petronius, independently of the passages where he introduces persons speaking the vulgar idiom of the time (*lingua rustica*) may be taken as a specimen of the language as it was then spoken. Nothing but a total want of knowledge and perception of the Latin language could have led people to place Petronius in the first century of our aera. He is the greatest poetical genius that

See Niebuhr, "Zwei Klassische Lateinische Schriftsteller des dritten Jahrhunderts nach Christus," in his *Kleine Histor. und Philol. Schriften*, i. p. 305, foll.

Roman literature can boast of after the time of Augustus; but we see how his talent confines itself to novel-writing and the poetry of ordinary life.

The barbarous character which commenced with the third century, gradually spread over all things in which taste can be displayed, even down to coins and inscriptions. The latter had formerly been made with great care, but there are some belonging to a time as early as the reign of Philippus, in which the lines are crooked and the letters of unequal sizes.

The reign of Decius would certainly have been much more praiseworthy, if we look at it with an impartial eye, but for his persecution of the Christians; history, however, acquaints us with many otherwise excellent men who had the misfortune to be cruel persecutors. In his reign the empire received a great shock from the German nations, which for the last seventy years had been tolerably quiet, with the exception of some disturbances on the Rhine in the reigns of Alexander Severus and Maximinus. In the time of Decius, the whole of the North seems to have been in a state of general commotion, and the Franks appeared on the Rhine. Respecting the question as to who the Franks were, it is impossible to come to a positive conclusion, and so much has been written upon it, that no one is likely to make any fresh discovery. I adopt the opinion which is now generally

received, that the Sigambri on the right bank of the Rhine and other German tribes which dwelt on the banks of the Rhine and in Westphalia, assumed the name of Franks, and under this common appellation formed a state which was distinct from the Saxons. The Suabians, too, who are sometimes called Suevi and sometimes Alemanni,<sup>10</sup> now began to cross the Rhine. They occupied all the country between the eastern bank of that river and the Danube, and extended perhaps as far north as the river Main. The great shock, however, came from the Goths, whose migration took place in the reign of Decius. Concerning their migrations we are in the greatest darkness: did they migrate from south to north, as the Icelandic traditions state, or from north to south, according to the tradition of the Ostrogoths preserved in Jornandes? To these questions no decisive answer can be given; all we can say is, that in the beginning of the third century a great Gothic empire existed in the south-east of Europe. Such an empire is also mentioned in the northern traditions; and it seems to be a common process of tradition to transfer things from one pole to another, and then to connect them.

<sup>10</sup> Alemanni is, like Franks, a name under which various originally distinct tribes are comprehended.—N.

## LECTURE CXXXIX.

THE invasion of the Goths, partly by land into Dacia, and partly from the Black Sea with their boats, resembles the attacks of the Russians upon Constantinople in the 10th century, and was described in detail by Dexippus of Athens; but of his work we now possess only fragments in the *Excerpta de Sententiis* and *de Legationibus*, and

a few in Syncellus;<sup>1</sup> it carried the history down to the reign of Claudius Gothicus, when the course of events, considering the circumstances, was beginning to take a favourable turn for

<sup>1</sup> They are collected in vol. i. of the *Corpus Scriptorum Histor. Byzantinae*, edited by I. Bekker and Niebuhr, 1829, 8vo.

Rome. We cannot describe these invasions in detail, and I should not like to venture, with Gibbon, to divide the Gothic invasion into three great separate expeditions. They overwhelmed the kingdom of Bosphorus, and destroyed the cities on the north coast of Asia Minor, penetrating even as far as Cappadocia. In another expedition they conquered the Thracian Bosphorus, which ever since the destruction of Byzantium had lain quite open. It is a proof of the complete torpor of the Roman empire, that no attempt was made to form a fleet to oppose to the boats of the barbarians. The most flourishing cities of Bithynia, such as Chalcedon, Nicomedia, Prusa, and others, were plundered and destroyed by the Goths after the death of Decius; and they displayed during this invasion much more cruelty than their descendants in after-times. In the North, they had even before crossed the Danube, and, having advanced through the plains of Wallachia, laid siege to Nicopolis. There they were met by Decius, who relieved Nicopolis, and repelled the Goths. They then crossed Mount Haemus. They appear to have conducted the war with great skill, for they succeeded in taking Philippopolis. But after this conquest, Decius again met them on Mount Haemus, and cut off their retreat. They then proposed to conclude a peace, on condition of obtaining a free departure, and of restoring the prisoners and booty. But Decius, who refused to enter into negotiations, drove them to despair; and he had to bear the same consequences as Frederik the Great experienced at Kunersdorf. The Goths were compelled to fight a decisive battle. Their army was drawn up in three divisions: the last of them had in its front a deep morass, like that which King Frederik crossed in the battle of Prague; the two other divisions had already been broken through; and if Decius, after this partial victory, had taken a position which might have enabled him to disperse the defeated army, and by skilful manoeuvres to surround the division which still held out, he might have destroyed the whole Gothic

army; and the fortune of the empire would have assumed a totally different aspect. But unfortunately, Decius, like Frederik the Great at Kunersdorf, wanted to rout the enemy by a vehement assault. He attacked the third line, which was drawn up behind the morass on narrow paths and causeways: but the valour and bravery of the legions was of no avail in that situation: the Romans were defeated, and Decius and his son did not survive the calamity, which occurred A.D. 251. The Goths, too, had suffered great loss, and they therefore agreed to conclude a peace with Gallus Trebonianus,<sup>2</sup> who was now proclaimed emperor by the legions. He paid considerable sums of money to the Goths; but whether settlements in Dacia were conceded to them as early as that time is a question which I cannot decide.

After the restoration of peace, Gallus returned to Rome. Hostilianus, a son or nephew of Decius,<sup>3</sup> who had received the purple from the senate, was recognised by Gallus as his colleague in the empire; but Hostilianus died soon after. Gallus was despised on account of the humiliating peace which he had concluded with the Goths, and which had excited general indignation. Aemilius Aemilianus, the governor of Illyricum, was set up against him in the East, and led an army into Italy. A decisive battle was fought near Spoleto, on the frontiers of Umbria and the country of the Sabines; and Gallus lost his life either in the battle or by the command of his conqueror.

In the meantime, P. Licinius Valerianus, whom Gallus had called to his assistance, had advanced with some German legions from Gaul to support him. He arrived too late to save, but early enough to avenge him. Aemilius was not more fortunate than Gallus had been, for he too was abandoned and probably murdered by his own soldiers.

<sup>2</sup> Jornandes, *De Reb. Get.* 18; Ammian. Marcellinus, xxxi. 5; Zosimus, i. 23; Zonaras, xii. 20.

<sup>3</sup> The history of these times is so confused that it is impossible to say whether he was a son or a nephew of the late emperor.-- N.

Valerian now succeeded to the throne; and great were the expectations entertained of him. There have at all times been people unfortunate enough to have a reputation among their contemporaries which they were unable to sustain; and such was the case with Valerian, for his reign not only had a most deplorable end, but it was marked throughout with nothing but calamities. Decius had had the strange idea of restoring the censorship,<sup>4</sup> for the purpose of correcting the morals of the Roman nobles. The choice of the censor was left to the senate, and Valerian had been appointed to the office; but as Decius fell so soon after, the new institution produced no effect. After his elevation to the imperial throne, Valerian chose his son, C. Publius Licinius Gallienus, as his colleague.<sup>5</sup> It was at that time highly necessary for an emperor to have an assistant able to exercise the powers of the empire at Rome, while he himself was engaged abroad, for the German nations now broke through the frontiers on all sides. In the North we meet with the Franks, Alemannians, and Goths, in separate hosts; while in the East, the Persians, under their king, Sapor, invaded Syria. We possess so incomplete a history of Valerian, that we cannot even say whether the catastrophe which put an end to his reign took place in the year A.D. 256 or 260.

On the lower Rhine the Franks had formed a kingdom, which extended up the river as far as Coblenz; the Alemannians, or Suevi, had broken through the *limes*, and spread from the country of the Lahn, as far as Switzerland.<sup>6</sup> The Goths invaded the

Roman dominion from the Danube, Dniester, and Don, and came with swarms of boats out of the rivers of their own country into those of the Romans, the latter not being able to oppose them with a fleet. The ravages which the Goths made were like those made in the ninth and tenth centuries by the Normans, who likewise sailed up the large rivers and destroyed the towns on their banks. The Goths penetrated even into the interior of Achaia, the whole of which was plundered. Argos, Corinth, and Athens were destroyed by fire and by the sword. It was on this occasion that Athens rose from the obscurity in which it had long been buried. A courageous band of Athenians, under the command of Dexippus, the historian, came forward and took up a position in the mountains. They were cut off from the city, which was taken. But the Athenians from their mountains surprised the Gothic fleet in Piræus, and took vengeance upon the formidable enemy in a manner which cannot be otherwise than pleasing to a friend of the city of Pallas Athene.<sup>7</sup> Dexippus must have been a very able man; but his historical work was a bad rhetorical composition. In this expedition of the barbarians into Greece, the Heruli and Peuci are also mentioned.<sup>8</sup>

While these things were going on, affairs took a still more unfortunate turn in the East, and were still more humiliating to the Romans; for Sapor had invaded Mesopotamia and Syria. The Emperor Valerian in person led the Roman army against this enemy; but—whether it was by treachery, by bad management, or by allowing himself to be ensnared, is uncertain—in short, Valerian, like general Mack at Ulm, got into a highly unfortunate position, and was compelled to capitulate, and thus become a prisoner. He is said to have been afterwards treated

<sup>4</sup> Treb. Pollio, *Valerian.* i., foll.

<sup>5</sup> These men had no connexion with the ancient Licinian family, which stands forth so nobly in the history of the Roman republic as the defender of the rights of the plebeian order; for at this time names were assumed arbitrarily and without any regard to relationship.—N.

<sup>6</sup> The Juthungi, who are mentioned only at this time, perhaps derived their name from the ruling dynasty of the Longobards, and it is probably only another name for that

people; a name terminating in *ingi* or *ungi* is a sign that the people bearing it derived its name from a dynasty.—N.

<sup>7</sup> Trebell. Pollio, *Gallienus*, 13; Dexippus, p. xiv. foll. ed. Bekker and Niebuhr.

<sup>8</sup> Zosimus, i. 42.



by the Persians with truly oriental cruelty. Whether he was actually skinned alive, or dragged out his existence in misery, cannot be decided, and was a disputed point among the ancients themselves. The Persians fell upon Syria and Cappadocia like a mountain torrent, and in the neighbourhood of Caesarea they nearly came in contact with the Goths, who were returning from Pontus. Antioch was taken and plundered, and its inhabitants suffered most severely; for all who escaped the sword were led away into slavery, with a barbarity resembling that which was exercised during the siege of Vienna by Soliman, when 200,000 men were driven away or butchered like cattle. The city was then set on fire. Such was the conduct of the Persians in Syria and also at Caesarea, which made a noble and brave defence before it fell. The towns on the frontier of Persia were, generally speaking, still fortified by walls; but in the interior, in Greece and Asia Minor, where no enemy was expected, the fortifications had everywhere been allowed to decay, or been pulled down for the sake of convenience; all Syria was thus inundated by the conquerors, and only a few fortified towns seem to have been able to maintain themselves.

One place in particular, situated in the midst of the desert, must be excepted; this place was Palmyra, which, unobserved by the rest of the ancient world, had gradually become an important commercial town. Its population consisted of Arabs and Syrians, and, led on by Odenathus, it now rose against Sapor. Odenathus is justly reckoned among the great men of the East: he defeated the rear of Sapor's army, and did not hesitate to make open war upon him. His power and influence appear to have extended far beyond the countries which were under the dominion of Rome, and included all the Saracen<sup>9</sup>

<sup>9</sup> The name is derived from the Semitic *Shark*, that is, the East, and occurs long before the time of Mohammed. Yemen means the right hand, taking Mecca as the point from which the country is looked at.—N.

towns in Arabia, whence he is called *princeps Saracenorum*. Odenathus must have assembled a great force, and there must also have been diversions on the eastern side of the Persian empire, of which we know nothing. The history of the Persians and of their relations to the Romans is very obscure, and still more so are their relations to other Eastern nations. While Valerian was retained as a prisoner by the Persians, his son Gallienus is charged with having made no effort to effect his liberation; but it would have been a fearful sacrifice to give up provinces as a ransom for him.

The time when Valerian fell into the hands of the Persians is the beginning of the period of the so-called Thirty Tyrants, a name which has long been exploded. We must not be too severe in judging of the occurrences which now took place in various parts of the empire; for Gallienus himself was an unworthy prince, who lived only to satisfy his lusts, and spent his time in the pursuit of pleasure, while the empire was suffering under the greatest misfortunes. He always remained in undisturbed possession of Italy, Raetia, and Noricum; all Greece, with scarcely any exception, likewise remained obedient to him, and in Africa his authority was thrown off only for a time in Egypt. Syria and the eastern provinces of Asia Minor recognised the dominion of Odenathus, and afterwards that of his great widow Zenobia. These sovereigns were in some measure recognised by Gallienus, who even triumphed for the victories of Odenathus. Gallienus reigned alone from A.D. 256 or 260 until A.D. 268.

M. Cassianus<sup>10</sup> Latinus Postumus, after having defeated the Franks, was master of the north-western parts of the empire and of Spain as early as A.D. 257; and he remained in possession of Gaul, Spain, and Britain; that is, of the whole of the subsequent *Praefectura Gallica*. That great ex-

<sup>10</sup> In some MS. notes the name is Cassianus, which Eckhel considers the correct form.

tent of country was torn away from the empire by Postumus, and was governed by independent and able sovereigns, who may be called emperors as well as Gallienus, although it may be contrary to Roman orthodoxy to do so. If we do not follow the writers of the fourth century with implicit faith, we may infer from the coins of Postumus that he was Augustus of that extensive empire. He maintained himself in it for upwards of nine years, and unless we consider his coins as a series of inconceivable fictions, we must also believe that he gained a number of brilliant victories over the Franks and Alemanni. There is no doubt that the latter had at that time made a predatory expedition, in which they penetrated even into Spain, but whether they were engaged in the service of any of the emperors who then disputed the empire with one another, I cannot say. Postumus left behind him a brilliant reputation; but still the misfortunes of Gaul undoubtedly began in his time, for Autun was then destroyed, and lay in ruins till the reign of Diocletian. Spain also was ravaged by the barbarians as in the time of the Cimbrians. Postumus was at last murdered by his soldiers, because after the defeat of the rebel Laelianus<sup>11</sup> at Mainz, he refused to give that town up to them for plunder. He was succeeded by Victorinus, a Gaul, whom I mention on account of his full name, M. Piauvonius Victorinus.<sup>12</sup> He was a brave general, but a dissolute man, and was murdered by a person whose wife he had seduced.<sup>13</sup> After him one Marius, a blacksmith, reigned for three days, and was then succeeded by a man of rank, C. Pesuvius Tetricus, a Gaul, whose full name is found only on coins. He ruled over the whole of what was afterwards called the praefecture of Gaul,<sup>14</sup> and was recognised

as its sovereign.<sup>15</sup> He reigned till the time of Aurelian, when he voluntarily brought about the re-union of Gaul with the Roman empire.

Eckhel, I believe, is right in his opinion that the empire of Palmyra did not extend so far as is supposed by Tillemont and Gibbon, according to whom it embraced all Western Asia and Egypt; but if it ever did extend so far, it can only have been at a later time, under Claudius Gothicus, and then with the consent of Rome. Our information concerning those times is principally derived from coins; they contain many things which are extremely puzzling, and cannot be cleared up; but they are sufficient to shew how little reliance can be placed on the books which pretend to give a history of that period.

Usurpers rose at that time also in Illyricum, Egypt, Africa, Greece, which was otherwise peaceful, Thessaly, and the East, where Macrianus, the prefect of Valerian, usurped the purple, and took his two sons as his colleagues. But none of those usurpers were able to maintain themselves, and their power was of short duration. The empire was in reality divided into three great masses. The Gallic empire was the result of the tendency which had been manifested in Gaul ever since the time of Augustus and Tiberius, and which we do not meet with in any other part of the Roman empire. Spain was much more faithfully attached to Rome than Gaul. I have no doubt that Treves was the capital of the gallant princes, Postumus and Victorinus, though they often resided at Cologne.<sup>16</sup> The Porta Nigra at Treves was built about this time. It is a Roman gate with two basilicae, one on each side, and its whole style

<sup>11</sup> Other MSS. have *Aelianus*; both forms of the name actually occur.

<sup>12</sup> Eckhel, *Doctr. Num. Vet.* vii. p. 450.

<sup>13</sup> Trebell. Pollio, *Trigint. Tyr.* 5.

<sup>14</sup> The division into praefectures is not an arbitrary thing, but an arrangement suggested by the nature of circumstances, for

the Gauls were Latinised Celts and Iberians. They had assumed the Latin character with great modifications, and differed from the Italians, whom they therefore considered as strangers. The praefecture of the East naturally comprised the countries in which Greek was spoken.—N.

<sup>15</sup> Treb. Pollio, *Trigint. Tyr.* 23.

<sup>16</sup> Neuwied is called in inscriptions *Victoriensis*, which is connected, I believe, with Victorinus and his mother Victoria.—N.

and structure shew that it cannot be assigned to an earlier date. Treves was a large place; indeed all the principal towns of Gaul, Spain, and Britain seem to have been very extensive, and to have possessed great buildings, which, however, were without real beauty, for taste had sunk very low.

Aureolus, the commander of the Illyrian legions, was proclaimed emperor by his troops, and marched from the Raetian frontier into Italy. Gallienus was besieged by him at Milan, and fell a victim to a conspiracy. He was cut down probably by his own soldiers, A.D. 268; he had been a curse to the empire, and his death was its safety. He was succeeded by a great man, M. Aurelius Claudius Gothicus, whose name is rather surprising, but his surname of Gothicus was well deserved. In his reign the Goths again invaded the empire through the Bosphorus, Propontis, and Hellespont. After having destroyed Cyzicus, and ravaged the country of Moesia and the banks of the Danube as far as Byzantium, they

appeared on the coast of Macedonia, and besieged Thessalonica, whence they proceeded to the interior of the country. When they were met by Claudius, they endeavoured to force their way back to the Danube; but their whole army was nearly destroyed by Claudius in the neighbourhood of Nissa, on the frontiers of Bulgaria and Servia. They were, however, extremely numerous, being constantly joined by new swarms—among which Vandals also are mentioned—so that the war against them was not yet brought to a close. The three Gothic nations, the Ostrogoths, Visigoths, and Gepidae, to which we must now add the Vandals, were still formidable enemies; and while Claudius was making fresh preparations, he died in the midst of his career, at Sirmium, A.D. 270, either of the plague or of some other epidemic which had been occasioned by the devastations of the war. The plague seems at that time to have settled in Moesia, where great havoc was made by it among both the Romans and the Goths. Claudius was succeeded by L. Domitius Aurelianus.

## LECTURE CXL.

THE victory of Claudius Gothicus, though it did not bring the war to a close, had yet secured the safety of the empire. His early death was a misfortune to the state. The empire of Palmyra was evidently at peace with Rome, and protected the eastern frontier; but Tetricus, who was at the head of the Gallic empire, did not stand in the same relation to Rome, although circumstances were, at least on the whole, peaceful. Before his death, Claudius had recommended Aurelian, the most distinguished among his generals, as a fit successor, and both the army and the senate recognised him. During the five years of his reign (until A.D. 275) Aurelian accomplished great things,

and became the real restorer of the Roman empire. Its condition was then such, that one might be inclined to refer to it a celebrated passage in the work of Q. Curtius,<sup>1</sup> if it were possible that a person could at that time have written such elegant Latin as that of Curtius. But this is impossible, though Gibbon does not seem to have thought so, at least as far as the time of Gordian is concerned; for he supposes that the passage contains an allusion to Gordian. But the reference to Tyre<sup>2</sup> has a meaning only when taken as an

<sup>1</sup> x. 9. Compare Niebuhr, *Kleine Histor. und Philol. Schriften*, i. p. 304, foll.

<sup>2</sup> iv. 4.

allusion to the time of Septimius Severus and Caracalla.

A happy restoration of the empire was brought about by Aurelian, and the history of his reign is delightful, like that of every period in which something that was decaying is restored; he was however by no means an ideal character. We are very far from being able to form a clear picture of that time, for the authorities we possess are much inferior even to those for the middle ages,<sup>3</sup> and the history of the empire is far less known to us than that of the republic, a fact which few persons seem to be aware of. We may indeed string together the scattered accounts, but that will never make a history, and, besides, the contradictions which they contain are quite monstrous. The only correct historical sources are the coins; and they again frequently contradict the written statements, so that it is utterly impossible to make up a genuine history. All that can be done has been accomplished by Gibbon, whose work will never be excelled.

Aurelian spent the five years of his reign in incredible activity: he had to march from one frontier to another, and to carry on wars upon wars of the most dangerous kind. It was a wise measure of his to conclude peace with the Goths, to whom he gave up Dacia, which seems to have been in a condition like that of Gaul in the fifth century. He removed the Roman colonies of that country, as well as the garrisons, which may still have been in the inaccessible parts of Transylvania. This sacrifice was necessary, for the population of Dacia had been so much reduced by the wars that it could scarcely have been maintained; whereas, those who left their abodes gave additional strength

to Rome in Bulgaria where they were now settled.

The great Zenobia had cherished the idea of founding an Eastern empire: she was formidable to the Persians, and had perhaps a Syrian militia which made an imposing impression upon them, whereas the Romans were unwilling to put arms into the hands of their subjects on the frontier, and carried on the war with mercenaries. But when Aurelian marched against Zenobia she was conquered at Antioch and Emesa, in two great battles, which decided her fate. She withdrew to Palmyra, where she was besieged by Aurelian. Her defence of her capital does not come up to our expectations of her: she fled from the city, and fell into the hands of the Romans. Her conduct in captivity is still less in keeping with her former pride, for she sacrificed her best and wisest advisers, such as Longinus, as political seducers; and this act shews her true Asiatic nature. She may not, however, have been quite wrong in charging those men with having given her bad advice; for it is not impossible that many men may at that time have entertained the idea of a Greek empire; and that a distinguished Greek like Longinus may have endeavoured to inspire her with this glorious idea, and thus have led her to ruin. The execution of Longinus is one of the cruelties which form a stain on the purple of Aurelian; but another and greater stain is the destruction of Palmyra and the massacre of its inhabitants: it is true they had revolted after his departure, but his vengeance was monstrous.

After having thus unexpectedly recovered the East and secured the peace with the Persians, which lasted until the time of Carus, Aurelian returned to Europe and re-united the West to his empire. Tetricus himself, whose life was not safe among his mutinous soldiers, and who wished to get out of the dangerous position which had been fatal to so many other emperors, came to meet Aurelian. A battle was fought in the neighbour-

<sup>3</sup> I am not of the opinion of those who attach a very high value to the writers of the middle ages, though Eginhard, Wittekind of Corvey, and Lambertus of Aschaffenburg form exceptions, for they took the ancients as their models. But the chronicles enable us to restore the history of the 12th and 13th centuries much more satisfactorily than is possible with that of the Roman empire.



hood of Chalons, in which the soldiers of Tetricus fought with greater determination and exasperation than ever. This proves how thoroughly national was the desire to be separated from Rome. The French look upon the ancient history of their country as if there had existed no nationality at all in the time of the Romans; and it is quite surprising that no French historian has either perceived or described that national feeling which was continually manifested in Gaul after the time of Caesar, and which broke forth in several insurrections.<sup>4</sup>

It was in the reign of Aurelian, though the exact time cannot be determined, that the German tribes crossed their boundaries. The Alemannians, Longobards (Juthungi), and Vandals, at least the first two, crossed the river Po, and threatened Rome. A decisive battle near Fanum Fortunæ (Fano) on the Metaurus—near the place where Hasdrubal, the brother of Hannibal, had been defeated—saved Italy, and compelled the barbarians to return across the Alps.

Aurelian, like Napoleon, felt the natural want of *bella ex bellis serendi*, and he now resolved to lead his army against the Persians. But on his march, A.D. 275, he was murdered, it is said at the instigation of his private secretary, who was on the point of being punished for some forgery he had committed. It is, however, not impossible that this is merely one of the many tales which were manufactured at the time, and by which the real perpetrators of the crime tried to turn away suspicion from themselves. There had been a conspiracy even before.

The army lamented his loss and was deeply moved at his death; and the soldiers were resolved that at least none of the nobles who had had a hand in his murder should derive any advantage from their crime. This resolution, if true, accounts for the

strange fact that the army called upon the senate at Rome to appoint a successor. The senators at first declined, as they imagined that the demand of the army was merely a trap, or at least feared lest the soldiers might soon regret their step, and then abandon the emperor elected by the senate as a prey to another proclaimed by themselves. But the soldiers were so persevering in their request that—so at least the story runs, though it is certainly a scarcely credible one—eight months passed away without an emperor, until after repeated refusals on the part of the senate, and various exhibitions of modesty on both sides, M. Claudius Tacitus, who was then princeps senatus, was proclaimed emperor. Tacitus was great in everything that could distinguish a senator: he possessed immense property, of which he made a brilliant use; he was a man of unblemished character; possessed the knowledge of a statesman, and had in his youth shown great military skill. At his election, he promised the senate that he would always look upon himself as its servant, and the senators already abandoned themselves to dreams of a restoration of the republic and its freedom, and of the emperor being only the chief agent of the senate, which was to be all powerful. What was to become of the people was a question which never entered their heads: they looked upon themselves as the senate of Venice used to do. But that dream was of short duration. Tacitus after his elevation went to the army in Asia Minor. The statement that he was then seventy-five years old is founded upon the accounts of the later Greek writers, and is of no weight: to me at least it appears very doubtful, and the earlier writers say nothing about it. To elect a man of such an advanced age emperor would have been senseless, and something like the system of the Roman cardinals, who elect an aged pope in order to have themselves a greater chance of becoming his successors. Such things may be done in an ecclesiastical state, but would have been the height of folly in

<sup>4</sup> In like manner the French have overlooked the marked difference which exists between the literature of northern and of southern France.—N.

a state like the Roman empire at that time, which required a military chief. Tacitus carried on the war against the Alani with success, although there still remained reasons for care and anxiety about those countries. He died at Tarsus, in A.D. 276, either of a disease or of weakness; it seems hardly probable that he was murdered.

His brother, M. Annii Florianus, now usurped the throne, but the legions refused to obey him, and M. Aurelius Probus was proclaimed emperor in his stead.<sup>5</sup> Probus is the most excellent among the Roman emperors of that period. Aurelian had been cruel, and known nothing except war; but Probus, who was equally great as a general, devoted his attention at the same time to rescuing the empire from the wretched condition in which he found it. He had to contend with various insurrections, but his arms were engaged principally against the Alani, Franks, Alemanni, and Sarmatians. He drove the Franks back into the marshes of Holland; the Alemanni were not only defeated, but Probus crossed the Rhine and recovered the whole country of Suabia, and is even said to have restored the ancient *limes*. It is believed that it was his intention to make Germany a Roman province, and that plan would have been far more practicable than before, for the southern Germans had made such changes in their mode of living that they were no longer so foreign to the Romans as they had been two centuries earlier. Had Diocletian taken the same trouble, and established a Roman force in southern Germany, it would not by any means have been impossible to form that part of the country into a Roman province, for we find that the Germans, who had formerly hated living together in towns, began to inhabit regular villages or towns, on the river Neckar, as early as the reign of Valentinian. In northern Germany, on the other hand,

things were different, for there the people still lived in separate farms, as at the present day in Westphalia. Probus exerted his wonderful activity in all directions. His reign lasted nearly six years, and his occupations were so great and numerous, that he had no time for enjoying his sovereignty. He only once celebrated a triumph at Rome, like Aurelian, but he was extremely beloved, as we see from the coins of the time, on which we read not only *invicto imperatori nostro*, but *bono imperatori Probo*. However he became estranged from the soldiers, who had before loved and admired him, because he not only demanded of them the discharge of their military duties, but compelled them to perform other services also, which were indeed beneficial to the provinces and the empire in general, but were too much for the soldiers, whose yoke became intolerably heavy. We cannot, therefore, censure them for what they did. Probus, like Aurelian and Decius, was born in the country of the *limes Illyricus*, and was therefore anxious to restore agriculture in the neighbourhood of Sirmium, and to drain the marshes, which spoiled the otherwise excellent and fruitful country of Pannonia. For this purpose he compelled the soldiers to make canals and drains. It is not impossible that fever and other diseases may have begun to rage among them while they were engaged in those marshy districts; but in short, they were driven to despair: they murdered their emperor, A.D. 282, and afterwards lamented his death.

The legions now raised M. Aurelius Carus, the praefect of the praetorian guards, to the throne.<sup>6</sup> Our sources of information are so imperfect, that we cannot even say whether Carus was born at Rome, in Illyricum, or at Narbonne. In a letter of his still extant, he calls himself a Roman senator, but he was unquestionably a senator of Gaul. There was indeed a

<sup>5</sup> Zosimus, i. 64, foll.; Vopiscus, *Probus*; Eutrop. ix. 17; Aurel. Victor, *Epitome*, 36 and 37, *De Caes.* 36 and 37.

<sup>6</sup> Vopiscus, *Carus*; Aurel. Victor, *Epitome*, 38; *De Caesar.* 38; Eutrop. ix. 18; Zonaras, xii. 29, foll.

regulation, a *senatus consultum* passed in the reign of Gallienus, that no senator should have an army, but this must have been of a different nature from what it is commonly, and even by Gibbon, believed to have been: I believe that it merely referred to giving a senator a province with the imperium, and this practice accordingly ceased, except in the short reign of Tacitus: but the regulation did not forbid senators to hold the command of an army in general. Carus was one of those princes to whom war is everything. He led his army against the Persians, and this war is the last but one that Rome waged against Persia, and that produced permanent results. Carus is said to have recovered Seleucia and Ctesiphon, but our accounts are so untrustworthy that I cannot answer for the correctness of the statement. However this may be, Persia had lost the power which it had possessed under Ardshir; and Bahram, the present king of the Persians, was so alarmed and terrified, that he was incapable of leading out his army against the Romans. Carus, therefore, penetrated far into the Persian empire. But a sudden death, caused, it is said, in his tent, by a flash of lightning, put an end to his victorious career, in A.D. 283. The received account of the death of Romulus is certainly a poetical tradition, and it is not true that he fell by a conspiracy of the senators; but whether Carus fell by the hands of a murderer, cannot be decided. After his death, it was impossible to induce the soldiers to advance any farther; for it was an ancient superstition that, when the praetorium was struck by lightning, it foreboded the destruction of the army itself.

Carus had two sons, Carinus and Numerianus, and the latter had accompanied his father in his Persian campaign. He had received a good education, but was not warlike, and appears to have been a man of refined and amiable character. His brother Carinus had remained behind at Rome, where he acted like a second Commodus. He fully deserves the

charges which are brought against him, namely, that he was a dissolute and voluptuous tyrant. He made himself so odious that the army would not for a moment listen to his elevation to the throne. Numerianus died while marching westward; and Arrius Aper, the praefectus praetorio, kept his death secret, in order to secure the empire to himself. But when the death of Numerianus became known, the soldiers immediately proclaimed the Illyrian, C. Valerius Diocletianus, emperor, A.D. 284. He put Arrius Aper to death in the presence of the army, for he was superstitious, and had been told by some old woman that he should obtain the imperial throne, if he killed an *aper*. That oracle now became clear to him, and he killed Arrius Aper with his own hand.

Carinus collected the forces of the West, where the legions were still faithful to him. A great battle was fought in Moesia, which terminated in favour of Diocletian at the moment when he was on the point of losing it; at the same moment, Carinus was cut down by one of his own tribunes, whose wife he had dishonoured, and the army of Carinus at once recognised Diocletian as emperor, A.D. 285.

Diocletian was a most distinguished general, and was conscious of it. His reign forms a great epoch in the history of the Roman empire. There is much in his plans that may be censured; but his success is a testimony to his ability, which is manifest throughout his reign, and in all he did. The period which begins with his accession is one of great recovery though perhaps not of happiness, and lasted for nearly a century, from A.D. 286 to the battle of Adrianople, A.D. 378. During that period, the empire recovered greatly from its previous sufferings, notwithstanding many unfavourable circumstances: the government became secured to one dynasty, and the general introduction of Christianity was facilitated. The recovery was owing in some measure to the circumstance, that the fearful plague, which had so long ravaged the empire,

had begun to decrease in the time of Probus. It had made its first appearance in the reign of M. Aurelius and L. Verus; it did not, however, then devastate all parts of the empire, for we see from Tertullian, that, in the reign of Septimius Severus, Africa was free from it. Even up to about the middle of the third century it had not become very important; but the real and fearful plague began in the reign of Decius, that is, from A.D. 249. During the ravages then made by the barbarians, it spread over all parts of the empire; it now also raged in Africa and Egypt, and became permanent. Claudius Gothicus died of the plague at Sirmium, A.D. 270; and under Gallienus and Valerian it raged so fearfully that 2000 persons are said to have been carried off at Rome in

one day. Gibbon<sup>7</sup> quotes an interesting statement of Dionysius of Alexandria, which is preserved in Eusebius,<sup>8</sup> but which Gibbon does not interpret quite correctly. Dionysius, who was then bishop of Alexandria, mentions that, after the cessation of the plague, the number of people at Alexandria, between the ages of fourteen and seventy, was not greater than the previous number of people between the ages of forty and seventy. Gibbon infers from this statement that above half of the inhabitants of Alexandria had perished; but the real proportion is nearly that of two to one, so that only one third of the population survived.

<sup>7</sup> *Hist. of the Decline and Fall*, chap. x. in fin.

<sup>8</sup> *Histor. Eccles.* vii. 21.

## LECTURE CXLI.

AFTER the cessation of the plague the empire was suffering from general distress, and its condition was very much like that which succeeded the black death in the middle ages. When the calamity ceased, says Villani, the contemporary historian, people expected to have everything in abundance; but instead of this there prevailed general distress and famine, it being impossible to cultivate the fields. In addition to these consequences of the plague, the countries between the Danube and Gaul were overrun by swarms of barbarians. Talent and art had become extinct in the same degree as the world had become desolate. The pagans charged the Christians with being the cause of the decline of literature; and St. Cyprian, whose last writings belong to the first part of that period, makes no answer to the charge, for he knew well that such an answer would have produced no effect; his remarkable work against Demetrianus openly admits the gradual spread of barbarism. In the middle of the third century, intellectual culture

still prevailed in the western parts of the empire; and we meet with a highly talented Roman poet. Jurisprudence then reached its highest logical development, and juristical works were written in an excellent style. But during the latter half of that century, the western world sank into manifest barbarity, which continued till the time of Constantine. The barbarous character of art had commenced as early as the time of Septimius Severus, and the only branch that still maintained itself in some degree was the art of making busts. The poem of Nemesianus on hunting (*Cynegetica*), and the *Eclogae* of Calpurnius, who lived under Macrinus, shew that poetry was then nothing more than verse-making. Prose did not exist at all. Arnobius, the author of the work "*Adversus Gentes*," is one of the earliest Christian writers in the Latin language. He is very interesting, and his learning is of considerable value to us; but there is nothing original about him. Lactantius, who lived in the time of Constan-



tine, adopted completely the style of Cicero, whom he reproduced in form, just as Curtius had reproduced Livy. He is a very important writer, even if we look at him apart from his character as a theological author; but he is the only writer of that period deserving of mention: his seventh book shows real imagination.

In the East, on the other hand, things were different, for there a new class of writers had sprung up. In the first and second centuries, men like Dion Chrysostom had endeavoured to reproduce the ancient Attic style and language, and persons tried thoroughly to understand Plato and Demosthenes; but this ceased in the third century, especially from the time of Ammonius, when the so-called New-Platonism was developed in Syria. In regard to intellectual power, the new school was certainly above the rhetoricians who preceded it, and who had had quite different objects; but the relation in which it placed itself towards Christianity introduced something positively untrue into the Platonic philosophy, which was now made to prop up paganism.

I can give you only a skeleton of the history which now follows, and such as every one ought to know by heart.<sup>1</sup> The accounts we have of Diocletian are eminently hostile towards him; and very much exaggerated. His father is said to have been a slave, or at best a freedman,<sup>2</sup> but this must probably be understood to mean a *colonus*, that is, a serf on the Dalmatian frontier: he himself cannot possibly have been a slave; for if he had been, the Roman law, even as it stood at that time, would have prevented his being enlisted in a legion. The derivation of his name from Doclea, a town on the Dalmatian

frontier, is probable enough. He had risen by his own merits; and his reputation had reached such a point, that it required only one step more to place him on the throne. Among the many charges which are brought against him, we find that of cowardice, which is as unjust in the case of Diocletian as in that of Napoleon.<sup>3</sup> He was on the whole a man of a mild character, but there are two points which justify the charge of cruelty; first the manner in which he punished the insurrection of Alexandria, and secondly his persecution of the Christians, to which he was instigated in his old age by Galerius.

Diocletian had reigned about one year, when, without any apparent reason, he assumed his countryman M. Valerianus Maximianus as his colleague in the empire. Maximian was a rough and violent man, and he shed at Rome much noble blood—not noble in the moral sense of the word—quite like an oriental despot, because he coveted the riches of those whom he murdered (for he had not to revenge any political offence on the part of his victims), and because he hated the nobility. It appears that, at that time, it was a matter of course for the sons of the great and wealthy to enter the senate, and that the dignity remained hereditary in their families.

The many divisions of the empire, and the tendency of the East to become separated from the West, led Diocletian, who was a man of uncommon intelligence, to the conviction, that all would be endangered if he should insist upon uniting those parts which

<sup>1</sup> In the time of our grandfathers too much importance was attached to such a chronological skeleton of history; which, however, ought not to be neglected; every one should impress upon his memory the list of Roman emperors, together with the dates of their reigns.—N.

<sup>2</sup> Aurel. Victor, *Epitome*, 39; Eutrop. ix. 19; Zonaras, xii. 31.

<sup>3</sup> The charge of cowardice against Napoleon is highly unjust. It is true, he often wanted moral courage, as for example, on the 19th of Brumaire; but he certainly had the courage of a general. The cases which are referred to as instances of his cowardice are only those in which he had no desire to strike a blow, or where he would not place himself in a position in which he could neither have heard nor seen, and in which consequently he could not have discharged his duties as a general. In those cases his conduct was perfectly right; but he might have died at Waterloo, and his escape from that battlefield cannot so easily be excused.—N.

had a natural tendency towards separation. He adopted therefore the apparently singular plan of separating the East from the West, and of governing the empire from two centres, though the whole empire was to remain one. This scheme succeeded so long as he reigned. Legislation, the consulship, and the high offices were to be common to both parts as before. Each part of the empire was to have its own Augustus, and two Caesars were to be appointed, who were to be the coadjutors of the emperors, and one of them was to succeed on the death of an Augustus. By this regulation he intended to prevent vacancies of the imperial throne, and the arbitrary elections by the soldiers. As there were two Augusti, the elder seems to have had the right of appointing the new Caesars. The countries which had already been united into one whole under Postumus and Tetricus, the *praefectura galliarum*, namely Gaul, Spain, Britain, and Mauretania, were to be governed by a Caesar; Italy and Africa by an Augustus; the countries on the Danube, afterwards the prefecture of Illyricum, viz., Pannonia and Moesia, by a Caesar; and the remaining part of the East by an Augustus. This idea of having two Augusti and two Caesars, of thereby keeping the empire united notwithstanding the apparent separation, and of thus securing a regular succession of emperors, is certainly an ingenious combination; but it did not answer its purposes. Diocletian's division of the empire itself is the basis of the subsequent four praefectures, two of which belonged to the Augusti and two to the Caesars. I must also mention that Diocletian introduced into his court the ceremonial system of the Eastern monarchs, which enters very much into detail. Neither of the two emperors resided at Rome. Maximian made Milan his capital,—a place which is destined by nature to be a great city, and one which very easily recovers, even after the most severe calamities—and Diocletian had his court at Nicomedia. Constantine the Great was a very

eminent man: he was not only a brave and skilful general, but altogether a great man, however much may be said against him. He had the eye of a great man, and carried out his plans accordingly: the foundation of Constantinople alone sufficiently attests his greatness. Diocletian overlooked that spot, notwithstanding his vast acuteness.

The most important events of his reign are the insurrection of Carausius in Britain, a revolt in Egypt, and the war against the Persians, the most glorious that Rome had carried on for a very long time; and it may further be said that, after this period, Rome never again carried on a war so truly glorious as that under Diocletian. The first insurrection was made by Carausius, the admiral of the British fleet, which was stationed at Bononia (Boulogne) to keep in check the Franks and other people of the Netherlands and the coast of the German Ocean, who had already begun to act as pirates. Carausius, who resided at Boulogne, revolted, occupied Britain, and assumed the title of Augustus; he was even, for a time, recognised by Diocletian and Maximian as Augustus.<sup>4</sup> But he was murdered by his own soldiers; and Allectus, who then usurped the imperial power, was conquered by a general of the Caesar Constantius, and Britain was reunited with the empire. The suppression of the revolt in Egypt was accomplished by Diocletian himself: Alexandria surrendered after a long siege, and the revenge which he took was fearful. Meanwhile, Galerius, the other Caesar, commenced the war against Persia, which was brought to a close in two campaigns. In the first, Galerius was defeated, and his arrogance humbled; but in the second he gained a complete victory, and routed the whole Persian army. The king of Persia was obliged to conclude peace, and recognised Armenia as a vassal kingdom of Rome. The king of Armenia received Azerbaijan, with his capital of Tauris, which was taken

<sup>4</sup> Eutropius, ix. 22.

from the Persians. Rome acquired the countries south of lake Van, and in the East as far as Mossul, that is, the countries between the Euphrates and Tigris, and even districts to the east of the latter river. These events occurred in A.D. 296, four years after the institution of the Caesars. I should like to give you a minute account of the persecution which Diocletian carried on against the Christians during the latter years of his reign, and also of the spreading of the Christian religion at that period; but our time does not allow of it, and the subject itself is one concerning which it is better to say nothing at all than only little. I may, however, remark, that Diocletian and his advisers employed their violence in endeavouring to stem the current of opinion, to which a universally felt want gave strength, without intending to substitute for Christianity anything to satisfy that want in any other way. He attempted obstinately to crush that which was calculated to satisfy the wants of the people, and to compel them by his commands to adhere to the traditional forms. This led him to institute his cruel persecution; which, however, was not so terrible as we usually imagine. Dodwell is right in observing, that it was hardly a shadow of what Alba did in the Netherlands. But it was, at all events, an effort to turn or to stay the stream of opinion: when a people however is earnestly bent upon a thing the tendency cannot be stopped: extirpation or slavery alone can stop its progress.

Diocletian's reign lasted twenty years, from A.D. 285 to 305. Maximian was proclaimed in A.D. 286. On the first of May, A.D. 305, Diocletian, through his paramount influence, prevailed upon Maximian to resign together with himself the dignity of Augustus, in order that he might see the succession regulated according to his plan. But the results were similar to those which we have seen for the last forty years in Europe, where constitutions have been drawn up which, when applied to life and actual circumstances, produced results far different from those which had been anticipated.

Galerius and Constantius, both Illyrians, had been appointed Caesars in A.D. 292, the former for the East, the latter for the West. Galerius had been a common Illyrian soldier, and bore the name of Armentarius, from his having at one time been a cowherd. Constantius<sup>5</sup> was a man of noble birth; his father was a man of rank in the diocese of Illyricum, and his mother a niece of the emperor Claudius Gothicus. Constantius was a man of refined education, manners, and sentiment, and altogether very different from Galerius. Both, however, were distinguished generals, though Galerius was rough and daring, while Constantius was distinguished by wisdom and foresight.

The resignation of sovereign power by Diocletian and Maximian was quite in accordance with the system which the former had set on foot. Constantius and Galerius now succeeded as Augusti, and the places of the Caesars became vacant. The Augusti might reside wherever they pleased; they were not bound either to Rome, to Milan, or to Nicomedia. Constantius therefore remained in his court at Treves: and in his place a Caesar was to be appointed to conduct the government of Italy and Africa. Galerius, without consulting his colleague, appointed the two Caesars, the men whom he selected for that dignity being both natives of Illyricum, where the Latin language was spoken in the most barbarous manner. Maximinus Daza, his nephew, a common soldier, was made Caesar of the East, Syria and Egypt being assigned to him. The Caesar of the West was Flavius Severus, whose authority extended over Italy and Africa. Galerius remained at Nicomedia, and reserved for himself Greece, Illyricum, and Asia Minor. He continued the persecution of the Christians with greater fury than Diocletian; but he too could effect nothing, and was in the end obliged to give way.

<sup>5</sup> His surname of Chlorus occurs only in the Byzantine writers, and is neither mentioned by earlier writers, nor does it appear on any coins. Nobody knows the origin of it.—N.

Diocletian and Constantius did not interfere with these proceedings, but the aged Maximian resolved to oppose them. He went from Lucania to Rome, resumed his dignity as Augustus, and prevailed upon the senate to proclaim his son Maxentius as Caesar, instead of Severus. Constantius died soon after these occurrences in A.D. 306 at York; and the legions proclaimed his son Constantine (the Great) Augustus. Galerius, out of jealousy, refused to acknowledge him as such, treated him only as Caesar, and made an attempt upon his life; raised Severus to the rank of Augustus, and instigated him against Maximian and Maxentius. Severus, however, died while attempting to invade Italy.

Constantine for the present brooked the degradation; he was the son of Constantius by his first and legitimate wife Helena, a woman of low birth, and a

native of Roussillon, on the frontier between France and Spain. Diocletian had required Constantius and Galerius, on their elevation to the rank of Caesars, to divorce their wives, and to marry ladies of the families of the Augusti. Constantius accordingly married Theodora, a step-daughter of Maximian, and Galerius Valeria, a daughter of Diocletian. At the time of his father's death, A.D. 306, Constantine was thirty-two years old. He was a truly distinguished man, and had acquired great reputation under Diocletian, so that the attention of the whole Roman world was drawn towards him. He was not a man of extensive literary acquirements, like some of his predecessors, but he was at the same time anything but a rude barbarian; he spoke Latin and Greek without being a learned man.

## LECTURE CXLII.

WHILE Constantine did not interfere with what was going on in the south, and was satisfied with establishing his power in the three Western provinces, Galerius undertook to avenge the death of Severus upon Maxentius, and advanced with an army into Italy as far as Narni. But he found himself so completely surrounded by the forces of the aged Maximian, met with so little support, and his army was so small, that he had no choice but to retreat. A peace was then brought about, the terms of which are not known. After the death of Severus, Galerius had given Illyricum to C. Valerius Licinius, on whom he also conferred the title of Augustus; the East was assigned to Maximinus Daza, and Constantine likewise was now recognised as Augustus. The Roman world thus had six Augusti and no Caesars; but peace did not exist, and the ingenious combination of Diocletian had led to nothing.

Maximian had given his daughter

Fausta in marriage to Constantine, who divorced his first wife Minervina. But the marriage with Fausta contributed little towards a good understanding. Hostilities however broke out first between Maximian and his son Maxentius, a man like Caracalla, who, besides many other vices, had an inclination to brutality and personal tyranny, and was devoid of any kindly or indulgent feeling, even towards his father. The claim of Maximian to conduct the affairs of the state was met by the son's demand that he should resign all power and retire to a private station. The praetorians, who had been raised by Maxentius from the obscurity into which they had been thrown by the regulations of Diocletian, now formed a party, which supported Maxentius, and joined him in his demand that Maximian should withdraw from public life. Maximian accordingly left Rome and went to Constantine, his son-in-law, in Gaul. He was received there with friendship,



but either because he formed hostile plans against Constantine—which is not at all improbable—or for some other reason, Constantine became his enemy, and endeavoured to secure himself against any attacks on his part. Maximian, who could not maintain himself at Arles, fled to Marseilles. There he was besieged by Constantine, and sacrificed by his troops. He fell into the hands of his son-in-law, who at first quieted him with kind promises, but soon afterwards put him to death, under the pretence that he had formed a fresh conspiracy.

Shortly after these occurrences Galerius died, and a war then broke out between Constantine and Maxentius, which is memorable on account of its great results in history and also on account of the triumphal arch of Constantine, still extant, and Raphael's painting of the battle. Maxentius ruled over Italy as a tyrant, and the oppression of the people was increasing, as had been the case ever since the time when the empire was divided among many emperors, who were often at war with one another. That country had formerly been exempt from the land-tax, and paid only indirect taxes and a tax on inheritances. But Maxentius, although he possessed the wealthy province of Africa, yet did not think his revenue large enough, and intended to impose upon Italy a land and poll tax. The people, unwilling to bear such a heavy burden, called in Constantine to assist them in resisting those measures. Constantine advanced with a considerable army; crossed mount Cenis, defeated the troops of Maxentius near Turin, and then directed his march towards the strongly fortified town of Verona. He besieged the place, defeated the army which was sent to its relief, and led his troops towards Rome along the Flaminian road. Maxentius met him near Ponte Mollo, at a distance of three miles from the ancient Colline gate. There a decisive battle was fought, in which the whole army of Maxentius was routed: Maxentius himself perished in the Tiber.

Constantine took possession of Rome

amid the joyous shouts of the people, and remained in Italy for some time. But a war soon broke out in the East between Licinius and Maximinus: the former had the European portions of Galerius' empire, the latter the Asiatic provinces and Egypt. A battle was fought near Heraclea in Thrace, which was gained by Licinius, though his army was greatly inferior to that of his opponent. Maximinus fled to Tarsus, where he surrendered at discretion, and was sentenced to death.

Of the six emperors, two only, Constantine in the West, and Licinius in the East, were now surviving, and between them the empire was divided. But although Licinius had married Constantia, a sister of Constantine, peace did not long last between them. A war broke out in A.D. 314, in which Constantine conquered his enemy in two battles, near Cibalis, and in the plain of Mardia. Licinius now sued for peace, which he obtained on condition of giving up Illyricum, Greece, and Macedonia, so that henceforth his empire embraced Thrace, Asia Minor, Syria, Mesopotamia, and Egypt. This Eastern empire was of such an extent, and had, under favourable circumstances, such great internal resources, as no European monarchy can boast of. The peace lasted for nearly nine years, after which a fresh war commenced, A.D. 323. This war was the first since the battle of Actium in which the Roman sovereigns had a great navy at their command, for both Constantine and Licinius had large fleets. That of Constantine was under the command of Crispus, his first-born son by Minervina. The first encounter between the rival emperors was the great battle of Adrianople, in which Constantine gained the victory by the superiority of his Western troops over those of the East. Crispus conquered the fleet of Licinius, entered Asia, and there gained a second victory over the reserve of Licinius in the neighbourhood of Scutari. Licinius fled to Cilicia and there capitulated. Constantine promised that his life should be saved, but the promise was not kept: Licinius was put to death, and even his son, a harm-

less and promising boy, was executed. These are the first instances of Constantine's cruelty, of which no traces had appeared before.

In the year A.D. 324 the whole of the eastern provinces were recovered by the defeat of Licinius; and the outward unity of the Roman empire was restored. The remaining part of the reign of Constantine is not rich in events, and we hear of hostilities only against the Goths and Sarmatians. The latter appear to have then occupied the country from the Theiss as far as Moravia, the Goths ruled over Dacia. The dominion of the Sarmatians embraced several German tribes, which they had subdued. At a time of great danger arms had been restored to these Germans, but they afterwards availed themselves of the opportunity to recover their independence. The Sarmatians were thus obliged to seek the protection of the Romans. Constantine distributed the Germans in various provinces of the empire under the name of the Limigantes, and if we may trust the statement of Ausonius in his "Mosella," many of them received settlements on the banks of the Moselle. We may safely suppose that Constantine, like Diocletian, was master of the world from the wall in Scotland to Kurdistan and to mount Atlas in Africa. It is one of the dishonesties of the pagan writers towards the Christians that they do not mention the fact, that even Aurelian had ceded a large territory to the barbarians; in like manner they forgot what their favourite Diocletian had done. This is the dishonesty which we always meet with in factions, where no party is ever strictly true in its statements.

The recovery of the empire, which had commenced under Diocletian, proceeded under Constantine and his sons, and there were only two circumstances that weighed heavily on the people and were a clog to the progress of returning prosperity, viz. the system of taxation, which had been introduced by Diocletian, and was completed by Constantine, and the system of the *indictiones*. Every province was rated at a fixed tax, which was

distributed among the *capita* of the province. This tax was levied according to an arbitrary valuation. It often happened that several shares fell upon one *caput*, and on the other hand several *capita* had sometimes to bear only one share. What the amount for each *caput* was is not known, and cannot be ascertained. The tax was extremely heavy, but the state could not do without it. To this land and poll-tax several others were added.<sup>1</sup> They became more and more oppressive, as the expense of the armies became greater, owing to the increasing prevalence of the system of hiring mercenaries; and the money thus went to the barbarians. The value of all kinds of produce had evidently declined.

The thorough change of the coinage, which appears about this period, may with tolerable certainty be attributed to Constantine. In the earliest times the Romans had only copper coins, but afterwards silver also was introduced. In the third century of the Christian era, when the state was in great difficulty, bad silver coins had been issued, as in Prussia at the time of the Seven Years' War. The gold coins remained unaltered. The state seems to have made its payments in bad silver, and to have required its subjects to pay gold in proportion to the old good silver coin. In the period of Constantine we hear chiefly of *aurei*; sesterces are no longer mentioned. *Aurei* had in the earlier times been chiefly used for the soldiers' pay, but are mentioned only rarely. The extreme badness of the silver money, of which all the collections of coins in Europe contain numerous specimens—during the period from Valerian to Probus we find nothing but bad silver—induced persons to forge it in great quantities, and in various parts of the empire, as might easily be conceived.<sup>2</sup> This system of issuing bad

<sup>1</sup> Savigny's Essay *Ueber die Römische Steuerverfassung* is excellent, although the subject has not yet been satisfactorily examined.—N. See above, Lect. cxxxii. p. 725, note 3.

<sup>2</sup> Many matrices and whole apparatuses of false coiners have been discovered in France, and all of them belong to this period.—N.

silver coinage accounts for the otherwise very singular event in the reign of Aurelian, viz., the insurrection of the coiners (*monetarii*) at Rome, which was headed by Felicissimus, the master of the mint (*rationalis*<sup>3</sup>). Aurelian is said to have attempted to re-introduce good money; but the master of the mint seems to have made his profit out of the bad money, like Itzig and others during the Seven Years' War. Constantine changed the *aureus* so as to make it lighter, whereby he conferred a great benefit upon those who had to pay taxes: if he reduced it from 45 to 72 to the pound, it must have been a great relief to debtors and taxpayers.

If we examine the legislation of Constantine with an unbiassed mind, we must acknowledge that there are not a few among his laws which were very judicious and beneficial, though there are some also which must have been injurious. Among those who have written upon the history of Constantine, some are fanatic panegyrists, others are just as fanatic detractors; there are but very few who treat him with fairness. Gibbon judges of him with great impartiality, although he dislikes him. The exaggerated praise of oriental writers is quite unbearable, and makes one almost inclined to side with the opposite party. I cannot blame him very much for his wars against Maxentius and Licinius, because in their case he delivered the world from cruel and evil rulers. The murder of Licinius and that of his own son, Crispus, however, are deeds which it is not easy to justify; but we must not be severer towards Constantine than towards others. Many judge of him by too high a standard, because they look upon him as a Christian; but I cannot regard him in that light. His religion must have been a strange compound, indeed, something like the amulet which I described to you some time ago.<sup>4</sup> The man who had on his coins the inscription *Sol invictus*, who wor-

shipped pagan divinities, consulted the *haruspices*, indulged in a number of pagan superstitions, and, on the other hand, built churches, shut up pagan temples, and presided at the Council of Nicaea, must have been a repulsive phenomenon, and was certainly not a Christian. He did not allow himself to be baptised till the last moments of his life; those who praise him for this do not know what they are doing. He was a superstitious man, and mixed up his Christian religion with all kinds of absurd superstitions and opinions. When, therefore, certain oriental writers call him *ισαπόστολος*, they use words without reflection. To speak of him as a saint is a profanation of the word.

In some respects Constantine was not bad. In many features of his character he resembled Hadrian, but he did not possess Hadrian's learning, for Constantine had received a very poor education, and was wholly deficient in literary culture. The resemblance between those two emperors becomes more apparent in the irritability of their later years, which led them to cruel measures and actions. Every one knows the miserable death of Constantine's son Crispus, who was sent into exile to Pola, and then put to death. If, however, people will make a tragedy of this event, I must confess that I do not see how it can be proved that Crispus was innocent. When I read of so many insurrections of sons against their fathers, there seems to me to be nothing improbable in supposing that Crispus, who was Caesar, and demanded the title of Augustus, which his father refused him, might have thought: "Well, if I do not make anything of myself, my father will not, for he will certainly prefer the sons of Fausta to me, the son of a repudiated woman." Such a thought, if it did occur to Crispus, must have stung him to the quick, and might easily have driven him into a conspiracy against his father. That a father should order his own son to be put to death is certainly repulsive to our feelings, but it is rash and inconsiderate to assert that Crispus was

<sup>3</sup> Vospiscus, *Aurelian*. 38.

<sup>4</sup> See above, p. 742, note 14.

innocent. It appears to me highly probable that Constantine himself was quite convinced of his son's guilt: I infer this from his conduct towards the three step-brothers of Crispus, whom he always treated with the highest respect; his unity and harmony with his sons are, in fact, truly exemplary. It is related that Fausta was suffocated by Constantine's command, by the steam of a bath, but Gibbon<sup>5</sup> has raised some weighty doubts about this incredible and unaccountable act, for Fausta is said to have been alive after Constantine's death: in our accounts she is described as a second Phaedra. I cannot, therefore, attach any importance to the story.

In the meantime Constantine had founded a new Rome at Constantinople, in a most excellent situation. When he approached the end of his life he went back to the system of Diocletian, and divided the empire

among his three sons, Constantine, Constantius, and Constans. Constantine obtained the praefecture of Gaul, Constans that of Italy and Illyricum, and Constantius the praefecture of the East. With his step-brothers, Constantius, Dalmatius, and Hannibalianus, he lived in exemplary harmony. The two sons of his brother Julius Constantius were yet too young to have any share in the government; Dalmatius had two sons, Hannibalianus and Dalmatius, who were raised to the rank of Caesars: his third brother Hannibalianus had died without issue. Constantine carried these regulations into effect before his death, and honest as were his intentions in thus dividing the empire among his three sons and those of Dalmatius, the results of that measure were most unfortunate; but such is human foresight! He died in A.D. 337, not in his beloved city of Constantinople, which he had finished in A.D. 327, but at his country residence, in a healthy and pleasant district near Nicomedia.

<sup>5</sup> *Hist. of the Decline and Fall*, c. 18.

## LECTURE CXLIII.

PEOPLE seem to think it unaccountable that Constantine also appointed Dalmatius and Hannibalianus: he certainly did not do so because they had any claims to a share in the government, but in order that, if disputes should arise among his sons, they might be able to turn the balance in favour of one, so that at any rate his family might maintain itself on the throne. His wish, however, to promote concord was not realised. The causes of the insurrection which soon broke out are not clear, nor do we know how it happened that the regulations of his will were not observed. The accounts which we have of these affairs may be partially true, but they have an apocryphal character. It is equally obscure how far Constantius was guilty: both pagans and orthodox Christians united in their hatred of

him, and for this reason he perhaps appears to us worse than he really was; in short, a military insurrection broke out at Constantinople, the will of Constantine was declared a forgery, the brothers of Constantine and the two princes, Dalmatius and Hannibalianus, were murdered, and with them the praefect of the praetorians, Ablavius, besides many other friends of Constantine. A division of the empire was now made of the kind which we have already seen in the times of Aurelian and Diocletian: Constantine, the eldest brother, who was then twenty-one years old, obtained the West, Gaul, Spain, and Britain; Constans, twenty years old, received the praefecture of Italy, with Illyricum; and Constantius, who was only seventeen years old, the praefecture of the East. Constantius soon became in-



volved in a war with Sapor, king of Persia, which lasted from A.D. 337 to 361, and was unsuccessful from beginning to end. After a short time, Constantine and Constans likewise became involved in a war, Constantine requiring Constans to give up Africa in order to preserve the equilibrium of their power, because Constans possessed Illyricum and Dalmatia. Constantine (called *Junior* on coins), who seems to have had Raetia and Noricum, also invaded the empire of Constans from the frontiers of Noricum, but immediately suffered a decisive defeat and lost his life; Constans now took possession of the West, for which Constantius may have received a trifling compensation in Illyricum. Constans enjoyed his triumph for a few years, at the close of which vengeance was taken upon him for it. He was an unworthy prince; and of the three brothers, Constantius seems to have been the least objectionable, although he too was not good for much; he was completely under the influence of his *cubicularii* and eunuchs; for, in accordance with the Persian custom, eunuchs occupied the first places at his court. Constans was an immoral and tyrannical man, and his conduct had excited great exasperation in Gaul, where he resided. There was in that country a general named Magnentius, of barbarian origin, who was so rude and ignorant that he could probably neither read nor write. Such a person could not possibly have become a general during the second century; and this fact proves the complete state of barbarism into which everything had sunk at that time. This Magnentius revolted at Autun: Constans took to flight, endeavouring to reach the sea, in order to embark for Africa; but he was overtaken and cut down by the horsemen of Magnentius at Illiberis (also called Helena), in Rousillon. Vetrico, another general in Illyricum, rose against Magnentius, endeavoured to form an alliance with Constantius, who received him kindly, and induced him to come to an interview, at which he was obliged to lay his diadem at the feet of Constantius, so that the latter was proclaimed em-

peror by the soldiers. On this occasion Constantius shewed no cruelty. He then marched against Magnentius, and near Mursa, the modern Essek, in Slavonia, gained a victory over an army much superior in number to his own. Constantius appears to have acted very skilfully in that battle, after which Magnentius fled to Italy; but there all the people zealously took up the cause of Constantius; and after Magnentius had lost another battle in Gaul, nothing remained for him but to make away with himself. Constantius was now again sole emperor.

Meantime affairs in the East had become very much worse: of nine great battles in the war against the Persians, eight were decidedly unfavourable to the Romans, the only one in which they were tolerably successful being that fought at night in the neighbourhood of Singara, but the attack upon the hostile camp did not succeed. Constantius gave to his cousin Gallus the name of Constantius, together with the dignity of Caesar; he probably thought of adopting the children of his uncle, as he himself had no issue. Julian and Gallus, the sons of Julius Constans, had by a lucky accident been safely carried to Constantinople, during the general confusion after Constantine's death; Julian was six years old, and his brother twelve, when their father was murdered: the fact that Constantius had no children had saved their lives. They were removed from the court, and kept as prisoners in a castle of the ancient Cappadocian kings near Caesarea; they were not allowed to pass the boundaries of the district, but received a careful education, which in the case of Julian proved to be seed sown in a most fertile soil, but Gallus had no inclination whatever for study. In this manner they lived until Constantius set out for the war against Magnentius, in which he was occupied for two years: he then called forth Gallus, whom he seems to have adopted, raised him to the rank of Caesar, and gave him the command in the East when Sapor was carrying on the war sluggishly, being probably

occupied on the Indian frontier and on the Oxus. Gallus made very bad use of his advantageous position ; he and his wife Constantina, a daughter of the great Constantine, were equally rough and cruel, and the East suffered severely from their misgovernment. When Constantius had finished the war in the West, complaints were brought before him from the East. Gallus had murdered two commissioners of the emperor who had been sent to watch him. This act called for punishment. He was invited to Constantinople, whither he proceeded without suspecting the danger that threatened him. In Thrace he was separated from his legions, which were in the meantime compelled to take the oath of allegiance to Constantius. Gallus was then arrested and brought to trial ; and as he was not able to justify himself, he was executed at Pola, where Crispus also had perished.

The emperor now (355) summoned to his court Julian, who is called by Christian writers the apostate (*παράβαρτης*), while the few pagan authors who lived at a later period, Eunapius, Zosimus, and Libanius, speak of him with the greatest enthusiasm, and cannot praise him sufficiently. He was then twenty-four years old. Constantius declared him Caesar ; but Julian went to court with a heavy heart, expecting to be put to death. He was kindly received however ; and the Empress Eusebia even became his protectress. They married him to the princess Helena, who was probably much older than he. He had been set at liberty some time before, and been allowed to reside in Ionia and at Athens, the place after which his heart had always been longing. He was a thorough Greek, having always lived in Hellenised countries, so that Greek was his mother tongue, in which he thought and felt, whereas Latin was to him a foreign language. Constantius appointed him governor of Gaul, the condition of which he himself had rendered extremely deplorable ; for in the war against Magnentius he had, by way of making a diversion, given

up the country to the Alemanni and Franks. Those tribes had made fearful use of this opportunity : Cologne, Mayence, Trèves, Tongres and all the towns in Roman Germany were devastated and burnt down ; and the whole country fell into a state of desolation from which it did not recover. The Franks already occupied the northern parts of Brabant, the Alemanni were settled on both banks of the Rhine, and the Roman *limes* was completely lost. Although the forces under the command of Julian were very insufficient to liberate Gaul from these enemies, yet he performed his task extremely well. The discipline of the Romans was in a state of great decay, and the soldiers looked upon their enemies as personally superior to themselves. The intrigues at the court, too, though perhaps without any fault of Constantius, tended to frustrate Julian's undertaking. With the title of Caesar, he made five campaigns against the Germans, gained brilliant victories over the Franks and Alemanni, and repeatedly crossed the Rhine, but never penetrated far into Germany. At the end of the war he had recovered the *limes*, from Helvetia to the Lower Rhine ; but he was obliged to leave the Franks in Belgium. They recognised the sovereignty of Rome, and furnished troops for which they were paid by the empire.

After these brilliant successes, by which Julian had gained the attachment of the soldiers and provincials, the intrigues at the court were revived against him : it was intended to take from him the most important part of his army, the soldiers composing which were to be directed to march towards the East. But they had become domiciled in the province, and had formed family connections there ; for on the whole the armies rarely changed their stations : hence when they were ordered to march they were seized with despair, and, according to the statement of Julian and his followers, influenced by this feeling, they renounced Constantius, and proclaimed Julian emperor. Now, it is certainly

possible that the movement may have originated with the soldiers, the contrary at least is not stated anywhere ; but I cannot believe that he was so excessively conscientious as he himself pretends to have been, especially as, notwithstanding his other great qualities, Julian was very ostentatious. It is certain, however, that he made overtures to Constantius, and wanted to be his colleague as Augustus. Constantius was foolish enough not to accept the proposal, although he had no children ; but preferred engaging in a civil war, while Sapor had already taken Singara and Amida, and was threatening the whole of the Eastern empire. Blood would have been shed, had not the opportune death of Constantius prevented it. He often resided with his court at Antioch :

and while he was following his army on the march from that city to Constantinople, he died in Cilicia, before he encountered the approaching army of Julian. The reign of Constantius is chiefly remarkable for the Arian persecution of the *homoousii* and the orthodox party, especially of the great bishop, Athanasius, who, on that occasion, shewed extraordinary strength of character, and exercised the greatest influence upon the minds of a large population. The details of these events may be read in the ecclesiastical history of the truth-loving Abbé Fleury. His reign is also remarkable for the Arian council of Rimini, which was directed against the council of Nice ; but other councils, especially under Julian, soon overturned its decisions.

## LECTURE CXLIV.

THE name of Julian will ever be memorable. He has sometimes been immensely overrated, and, on the other hand, most undeservedly depreciated. Distinguished men of very different characters have, within the last fifty years, been occupied with Julian's history : the first was Gibbon, who, notwithstanding his anti-christian sentiments, did not allow himself to be misguided, but clearly perceived Julian's weaknesses. Next came Eckhel, who, in his work on coins, shews such candour of judgment, that I can with confidence refer you to him. The last is Neander, whose treatise on Julian is excellent.

Julian was a man of extraordinary mind, as every one must feel who reads his writings. He was a true Attic, and since the time of Dion Chrysostomus, Greece had not produced such an elegant author ; he stands far above Libanius. He was unquestionably a distinguished general, and a humane and fatherly governor of Gaul. His ability was also shewn in the manner in which he protracted his

campaigns against Constantius, while he continued to fight against the barbarians, in order to prevent an open rupture between himself and his rival. His moral character was of the highest purity ; he entirely subdued any sensual disposition ; and his only happiness was to live in the world of thought. We must, however, acknowledge that his attempt to restore the pagan religion was a senseless undertaking, even irrespectively of the truth of Christianity. The pagan religion, in its truth, that is its popular belief, had long since become extinct. New Platonism, which properly aimed at monotheism, and was artificially decked out with oriental demonology and theology, with theurgy and thaumaturgy, had taken its place : the ancient mythological fables were allegorised ; people saw in Homer and the other ancient writers everything except what the Greeks themselves had seen in them. Had paganism still had a living tradition, it might have been able to struggle for existence : but this was now impossible. This artificial system,

partly adopted from Christianity itself, was at best good for a few philosophers; with the exception of Julian, his advisers, and court philosophers, there were perhaps not five hundred, or at the utmost one thousand persons, who embraced it. In the provinces, moreover, the emperor had many negative followers, who only opposed Christianity without believing in the rival doctrines. Julian's undertaking was thus a truly counter-revolutionary attempt: he wished to introduce into paganism a hierarchy, to institute a new paganism which was more akin to Gnosticism than to Hellenism: to the latter in fact it was diametrically opposed. The impossibility of carrying this plan into effect, led Julian to commit acts of tyranny and fraud; but he was nevertheless unable to succeed. Christianity, it is true, had not yet been adopted by anything like the majority of the population, but it had taken firm root.

Prudentius's<sup>1</sup> verses on Julian contain the most excellent sentiments, and reflect the greatest honour on both their author and their subject:

..... Ductor fortissimus armis,  
Conditor et legum celeberrimus, ore manuque  
Consultor patriæ; .....  
Perfidus ille Deo, sed non et perfidus orbi.

The utter perversity of this undertaking was clearly the source of Julian's follies and tyranny; otherwise he was mild and indulgent. The late Count Stolberg was of opinion that the proceedings at the court of his uncle Constantius, which considered itself Christian, might be a sufficient excuse for him. Julian, with cruel scorn, forbade the Christians to read the classical authors in their schools, saying: "as you despise them, and will have nothing to do with the pagan gods, you shall not become acquainted with their literature." In many instances he shewed the greatest partiality, not only in cases where the pagans again took possession of their shut-up temples and temple-estates, but even in real disputes. Actual persecutions

are out of the question; but religion became a source of misery.

Julian had set out on his march eastward before the death of Constantius; and after that event he continued his expedition. He stayed for a year at Antioch, where his philosophical severity came in conflict with the frivolities and luxuries of the Antiochians. Ever since the time of Hadrian it had been the fashion to let the beard grow: but Constantine and his sons had cut them off; and Julian too had been obliged to shave as long as he lived at the court: but, in Gaul, he again allowed his beard to grow, in imitation of the Greek philosophers; and for this reason he was now ridiculed by the Antiochians. From Libanius and John Chrysostomus we see that the Antiochians were a contemptible people, and such as are to be found only in large cities. Julian was received by them with expressions of hatred; and it is not impossible that from the time of Constantius there had existed in that city a party hostile to him. His simplicity, which was certainly ostentatious, was offensive to them. An additional cause of their aversion was the Christian religion, which was still confined to a small minority it is true; but it was active and vigorous, while the other party was weakened by divisions. Constantine's Christianity was unquestionably of a monstrous kind; he became a Christian, because in the empire of Galerius and Licinius the Christians were most numerous, and the West was attached to Christianity, even in the time of his father. The nobles at Rome were still pagans; but many thousands of the lower classes had already been converted. Constantine had the advantage which leaders of exclusive bodies always enjoy, and this circumstance rendered powerful the party opposed to Julian. One of the most elegant works which Greek literature produced in the period of its second life, the "*Misopogon*," arose out of that discord. In it, as well as in the "*Caesars*," we see Julian witty and lively.

He now undertook the war against

<sup>1</sup> *Apotheos.* 450.



Persia, which, in the meantime, had probably been disturbed by other wars. His plan was well devised, but he had reckoned too much upon the success of all his operations. He wanted to march with his army along the Euphrates, so that provisions might always be procured from the river, then to lead his fleet through canals into the Tigris, and thus to strike a fatal blow at the heart of the enemy. His intention seems to have been to make Babylonia a Roman province. Procopius and Sebastianus were to march from Nisibis, in Mesopotamia, across the Tigris, and to join him in the plains of Armenia. He also calculated that the Armenians, who in the latter years of Constantine the Great, or under Constantius, had been again deprived by Sapor of Aderbidjan, would advance towards Media. He appears, moreover, to have relied upon the Iberians, whom Sapor had again subdued. But in Armenia and Iberia, Julian's religious views proved an obstacle to his success. The Armenian rulers were Arsacidae and Christians, and hence hostile to the Persians, on account of the bigotry of the Magian religion, but still more hostile to the apostate. They would have been scarcely willing to assist him, even if they had been governed by a prince like Tiridates, who had greatly distinguished himself in the war of Galerius; but the prince who now sat upon the throne was pusillanimous. The Armenians, therefore, remained neutral; and the Iberians shewed themselves even hostile to the Romans. Procopius and Sebastianus met with immense difficulties in their undertaking, and neither of them was the man to overcome them. Julian went down the Euphrates, but he had begun his expedition too late. As the summer is extremely hot in that country, he ought to have set out in the middle of the winter, so as to arrive at Babylon at the beginning of spring—in March or April—for the summer begins there about the middle of April. But he did not commence his expedition till the month of March; and as he came down the Euphrates his appearance

produced the greatest consternation among the Persians. Two fortified towns submitted to him, and he arrived, without encountering any resistance, in the neighbourhood of Ctesiphon, where he expected to find Procopius and Sebastianus waiting for him. His movements, up to this point, were altogether excellent, and attest his skill as a general; but he had not imagined that Ctesiphon was so strongly fortified as it really was. These fortifications must have been made after the time of Carus; as the place had been taken by Trajan, Septimius Severus, and Carus. Julian became convinced that he could there effect nothing with his army; but this conviction came too late. He was right in not venturing to storm the city when the soldiers demanded it; but his immense blunder was not a military one. Sapor had repeatedly and most urgently asked for peace; but Julian probably wanted to destroy the Persian empire completely, that he might no longer be prevented by an Eastern war from directing all his forces against his enemies in the West and North. The Persian empire was still, to a great extent, a feudal empire, so that a dissolution of it was certainly not impossible. But Julian ought to have been satisfied with the peace which he might have obtained. Aderbidjan would probably have been given up to him, and perhaps other countries also, though not Babylon; but he was revelling in dreams of success from which he was awakened eight days after the last ambassadors had quitted him. Sapor made great preparations for a desperate defence; and as Julian could effect nothing in the neighbourhood of Ctesiphon, and the army of Procopius did not arrive, he found himself under the necessity of retreating. It being impossible to draw the fleet up the river, he determined to destroy it, and to lead his army back across the mountains of Assyria. This retreat in a burning plain, surrounded by Persian cavalry, during the dog-days in the climate of Babylon, was an almost impracticable undertaking. Being constantly attacked by his ene-

mies, Julian was obliged to leave behind all the wounded and the dead; every straggler died, and the Persians spoiled all the water. But the Romans might nevertheless have maintained themselves for five days longer, after which they would have reached the heights and been safe; but on the 26th July, Julian was mortally wounded, and his death produced the greatest despondency. It is useless to investigate whether he was killed by a traitor or by an enemy. The joy of his domestic enemies was certainly

greater than that of his foreign ones. As it was found necessary to elect a successor immediately, and as Salustius, the prefect of the praetorians, unfortunately for the empire, declared that he was too old to accept the imperial dignity, the election fell upon Jovian. The latter obtained a peace by giving up Nisibis and the five provinces east of the Tigris. On these terms, Sapor granted him a free retreat, and pledged himself to provide for his army.

## LECTURE CXLV.

JOVIAN seems to have been a man of great mediocrity, of whom neither good nor bad can be said. He was a Christian, and has acquired great renown by his edict granting unconditional liberty of conscience. After a reign of eighteen months, he died suddenly at Ancyra, while following his army towards the West. The reports that his death was unnaturally accelerated deserve no credit, any more than that he committed suicide by using a basin with burning charcoal.

After his death there was again a difficulty respecting the election of a successor. His son was a child under age; and the consulship was then, for the first time, degraded by a child being entered in the *Fasti*. Sallustius again declined to become emperor, and thus Valentinian, an Illyrian, who had greatly distinguished himself in the Persian war, was raised to the throne in A.D. 365. It is singular that in all these elections we no longer find any trace of donatives: in the time of Probus they were reduced to one-tenth (20 aurei = £15), and now, in the fourth century, they disappear altogether. A few weeks after his accession, Valentinian took his brother Valens for his colleague, whereby he satisfied the demand for a second emperor, though the general wish was to see an able man on the throne, such

as one perhaps as Dagalaiphus. Valentinian was a remarkable person, and one of those characters respecting which it is very difficult to give a brief opinion. He was a distinguished general, gave fresh support to the rapidly sinking state, gained brilliant trophies in a war against the Alemannians and Franks, and in another against the Sarmatians; he kept order in the empire, and made many useful laws and enactments. He himself was indeed a man without education, but he employed his influence to support knowledge and education, and inflicted severe punishment upon tyrannical governors and frivolous judges. He was cruel, however, and, where he was offended, or suspected a conspiracy, imposed no restraint upon that disposition. We may therefore take it for granted that the nobles did not feel at ease under him, and that the people, on the other hand, were attached to him. His brother Valens was not blood-thirsty, but inexorable and cruel, and just as cowardly as inexorable. His government did not produce the blessings which marked that of his brother; he was, moreover, a fanatic Arian, oppressing the Homoousii, or Athanasians, as much as he could, whence his government is deservedly represented in an odious light by the ecclesiastical historians.

Valentinian too was an Arian, but always conceded a just liberty in matters of faith, oppressing neither pagans nor Athanasians. The number of Christians increased from year to year. Manichaeism spread, at the expense, not of the orthodox, but of the old Gnostic sects, which latter were constantly decreasing. In relation to foreign countries, the empire was powerful: it was at peace with Persia, the aged Sapor being quiet. Valentinian had two sons, Gratian by his first wife, and Valentinian II. by the second, the latter being yet a child. Gratian was a charming boy, and his education was conducted with great care. Valentinian was a man of good sense, and felt that he was uneducated; but it is no wonder that he erred in the choice of a teacher, and imagined that in Ausonius he had an excellent master for Gratian, just as Antoninus had been mistaken in Fronto.

In A.D. 375, when Valentinian died, Gratian was seventeen years old, and really capable of undertaking the administration of the empire. During the first years his government indeed answered all expectations; he exercised justice, was mild, and granted religious liberty. He took possession of the West and Italy, leaving the East to his uncle Valens. The latter was now placed in fearful circumstances, for the Goths, who, after the time of Claudius and Aurelian, had settled in Dacia, invaded the Roman empire, under the command of Hermanric, whose memory is still preserved in the *Heldenbuch* and the Icelandic Sagas. The original of the lay of the Nibelungen was Gothic, from which it is a translation. Whether Hermanric belongs to the period to which Jornandes assigns him is a different question; I believe, however, that he is much older, and an historical personage. There can be no doubt that at one time there existed in the south-east of Europe a large Gothic empire, which was destroyed by the Huns. I am convinced also that Desguignes' account of the origin of the Huns is incorrect. They were a

mighty nomadic people, of the Mongol race, quite different from the inhabitants of Southern Asia and Europe. They appear to have been the same as the other nations of the table-land of Upper Asia.

The Goths were divided into three tribes,—Ostrogoths, Visigoths, and Gepidae; they were anything but an uncultivated people, and had *en masse* adopted the Christian religion much earlier than the inhabitants of the Roman empire; at the time of their advance into which, the majority of them were already attached to the Christian faith. It is certain that the Huns, from causes unknown to us, advanced towards the Danube, and pressed upon the Goths, the most numerous of whom were the Visigoths. The latter had a peculiar national civilisation; and already possessed an alphabet of their own, which was invented by Ulphilas. They had long been in a peaceful relation to the Romans, to whom, being now unable to resist the Huns, they applied in their distress, begging that they would receive them into the empire. There can be no doubt that the true policy of the Romans would have been to exert all their powers to support and fight for them in their own country: but this plan was not thought of; and the only question deliberated on was whether they should be received or not. This was decided in the affirmative: they were admitted into the empire on condition that they should surrender their arms, and disperse in various parts of the empire. But this proved impossible. Dread of the Huns drove them onward; they threw themselves into boats and rafts to save their lives: the Roman detachments, which were to receive them, were not sufficiently numerous to perform that service; much dishonesty also was practised on that occasion; the Romans allowing themselves to be bribed to leave them their arms. In short, everything which should have been done was neglected; and whatever should have been avoided was allowed to take place. The Goths were not dispersed, but permitted to remain together. At the same time

the Romans plundered and behaved cruelly towards them. They had been promised supplies of provisions until they should have formed settlements ; but the Romans now availed themselves of this opportunity to extort enormous prices from them. The Goths endured all this with great forbearance. As yet only the tribe of the Visigoths were concerned in these proceedings, the Ostrogoths being still in their mountains. They must have been exceedingly wealthy, for the Romans extorted incredible sums. At length, however, they were provoked by this ill-treatment : an insurrection broke out at Marcianopolis (in the neighbourhood of Shumla) which soon became general. The Visigoths were commanded, not by kings, but by two judges, one of whom, Fritigern, was a truly great man, and carried on the war with resolution. The dreamy Romans had not imagined it possible that their crimes could be followed by such consequences, when all at once the whole nation of the Goths was in arms, and inundated Moesia and Thrace. They made unsuccessful attempts upon several cities, such as Philippopolis, but the open country was entirely given up to them. The fear and terror they occasioned were immense. The Ostrogoths soon followed, and advanced into the places abandoned by the Visigoths ; but it must not be inferred that they acted in concert, for the Ostrogoths and Visigoths were in every respect essentially different nations.

Valens was now roused from his inactivity : he secured peace with Persia, and led the legions of the East against the enemy, calling in the aid of Gratian also from the West. The Goths were besieging Adrianople. Had Valens waited for Gratian's arrival, it might perhaps have been still possible to sustain the shock of those migrating nations. The Visigoths formed one great warlike mass of 200,000 men, capable of bearing arms ; but had they not succeeded at Adrianople, the world would not have experienced the change which then came upon it. Valens, although he was anything but a warrior,

prosecuted the war with a determination to run risks such as he should not have ventured upon. But he was jealous of Gratian, who was advancing very rapidly and had already gained a brilliant victory over the Alemannians. Instead of waiting a few weeks and then uniting with him, Valens ventured upon the attack alone, and the battle was completely lost : two-thirds of the Roman army were destroyed, and Valens himself was among the slain. The Goths now traversed the whole diocese of Illyricum and Thrace, and even approached the gates of Constantinople. The towns indeed could not be taken, but the open country from the Adriatic to the Black Sea, and the frontiers of Greece, was thoroughly ravaged. After this there follows a period of six years, the history of which is buried in complete darkness.

When Valens had fallen, Gratian saw the impossibility of defending the whole Roman world alone, and made Theodosius his colleague in the empire. This resolution does infinite credit to Gratian, and proves that he was capable of the feelings of a great man. Theodosius was the son of a most distinguished man, who in the early part of Gratian's reign, had, though innocent, been put to death, in consequence of a malicious accusation after he had recovered Britain and Africa. Theodosius was a native of Spain, the province which had given birth to Trajan and Hadrian, to whom, however, he was not related. He was born in the neighbourhood of Valadolid, while Seville was the native place of the two earlier emperors. He bears the surname of Great with justice, for he accomplished great things ; and if we overlook Majorian, whose evil star was too powerful for him, he was the last great emperor. One of his faults was a passionate and angry disposition, which, however, was intimately connected with his best qualities ; but his chief fault was, that after great exertions he often abandoned himself entirely to inactivity, and in the administration of the empire relied too much on many unworthy persons whom he honoured with his confidence.



## LECTURE CXLVI.

THE task which Theodosius had before him was so vast that it makes one shudder to think of it. With the remaining forces of the Eastern empire (for the West would give him no support), he was to repel the Goths; and he succeeded not only in putting a stop to their progress, but in disarming them by treaties of which we know nothing. In a series of campaigns he separated one tribe from the others, and split them up into so many parts, that they submitted to the supremacy of Rome. They appear, however, to have remained in the north of Illyricum, in Moesia and Servia, where they inhabited the country, while the towns remained Roman. The pure descendants of the ancient Goths exist in Illyricum even to this day. There they dwelt under Rome's sovereignty, and pledged themselves to serve the empire; for Theodosius stood in need of them for his wars, and Gothic troops in fact were always engaged in the Roman service. They were not tributary, however, but rather received a tribute under the name of pay. This arrangement became established, especially after the year A.D. 384, and continued until the death of Theodosius in A.D. 395.

The first war in which Theodosius was involved, arose from the misfortune of Gratian, who had lost the popularity which he had at first enjoyed: he remained a good and amiable youth of unblemished character, but he ceased to rule, allowing business to take its course, and abandoning himself to the useless pleasures of the chase. He moreover surrounded himself with barbarians, preferring the Alani to his own countrymen, who were thereby led to revolt against him. In addition to this, there was an insurrection of the troops in Britain under Maximus. Gratian was murdered, and Maximus, on being proclaimed emperor, was acknowledged by all the

West. Maximus was a mild prince, and shed blood only because he was urged on by the clergy to religious persecution. He offered his friendship to Theodosius, who wisely accepted it. This friendship remained undisturbed for four years. Valentinian II. (the child under the guardianship of his mother Justina), Maximus and Theodosius were now the three Augusti. But Maximus resolved to cross the Alps, and to deprive young Valentinian of his empire. The latter fled with his mother to Thessalonica, where they were received by Theodosius. The extraordinary beauty of the princess Galla induced him to take the family under his protection, and he accordingly led Valentinian back to Italy. Maximus was defeated near Aquileia, abandoned by his troops and killed, whereupon Theodosius gave the whole of the Western empire to his brother-in-law Valentinian. The latter seemed to have all the good qualities of his father without his faults; but he was unfortunate. A Frankish general, Arbogastes, the commander of his army, assumed a position relatively to his master similar to that of a Frankish *major domus* towards his king. Valentinian resisted this, but by doing so caused his own destruction. While staying at Vienne in Dauphiné, he was strangled by Arbogastes, who now put on the throne one Eugenius, who was *tribunus notariorum*, that is, according to our idea, something like a privy councillor, or courtier of rank. It was against this man that Theodosius led his army. The decisive battle was fought again near Aquileia (A.D. 394): in it Theodosius displayed all his talent as a general, on which subject we have the beautiful verses of Claudian.<sup>1</sup> He knew how to make use, for his objects, of the most different nations—

<sup>1</sup> Claudianus, *de tertio consul. Honorii*, 90.

Goths, Alani, and Huns—so that they were willing to devote themselves to his service. The elements also were favourable to him; for a tempest is said to have contributed to his success in the battle.

The West was now gained for Theodosius, who was emperor of the whole Roman world. In his latter years he had the weakness to give himself up entirely to a favourite, Rufinus, who was his *præfectus prætorio*. This Rufinus was insatiably avaricious and blood-thirsty; so that even before Theodosius' death, he spread misery over the empire. The sovereign was a truly noble prince, and yet his subjects were ill-governed. Antioch had provoked the emperor; but Libanius and St. Chrysostomus prevailed upon him to forgive it. On another occasion, however, he allowed himself to be carried away by his passion, and was obliged to do penance. The separation of the empire had already become so natural, through the circumstances of the times, that Theodosius also determined to adopt it; but it was an unpardonable mistake that he divided it between his two sons, neither of whom were capable of carrying on the government, especially as Honorius was only eleven years old; for which reason Theodosius appointed Stilicho his guardian. But the idea of an hereditary empire had already taken such firm root, that Theodosius implicitly trusted to Stilicho's preserving the empire for his son, just as in our times a minister or a general would do.

During the period from Diocletian to Theodosius, Roman literature was in the most wretched condition. Au-

sonius is the only poet of that time, and he is incredibly bad: it is nothing but the reverence of the French scholars of the sixteenth century that has raised him to a somewhat elevated position; but he is in reality as bad as the worst poets of the middle ages. Prose, too, is extremely barren. About the middle of the fourth century arose the epitomisers, especially Eutropius and Victor; and it is possible that the epitome of Livy also was made at that time. These epitomisers were men altogether without talent. Latin grammar, on the other hand, assumed the form in which it has come down to us. Donatus, the instructor of St. Jerome, is the real father of Latin grammar: Charisius does not belong to his school, but is independent; he is an encyclopaedist, who compiled the earlier works. Diomedes, too, is a writer of the fourth century; towards the end of which we meet with Servius, who, in accordance with the character of his age, condensed into a small compass what he collected from his predecessors. The only work of his which has come down to us in its genuine form, is the commentary on the first two books of the *Aeneid*; that on the other books exists only in an abridgment, which was probably made in the seventh or eighth century. Festus, a similar author, who reduced the work of Verrius Flaccus into the form of a dictionary, is very useful to us, although he did not always understand Verrius. Nonius Marcellus lived probably somewhat later, but he belongs to the same school of grammarians, to which the impulse had been previously given. Macrobius, lastly, also belongs to the end of the fourth century.

## LECTURE CXLVII.

A BETTER prose style began after the reign of Theodosius. Ammianus Marcellinus, a very talented writer, though not always correct, belongs to the time of Theodosius. He is particularly honest and noble-minded: he

had served himself as a soldier, and was a man of experience, without which no one can be an historian. From the time of Alexander Severus to that of Diocletian, no one had written history in the Latin language;

in the reign of the latter, at the beginning of the fourth century, we meet with the so-called *Scriptores Historiae Augustae*, whose works are beneath all criticism : from that time till the reign of Theodosius there is again a vacuum. Ammianus was a Greek of Antioch ; and one can see, from his work, that he is a foreigner.

The rhetoricians continued as before. Marius Victorinus, bad as he is, formed an epoch. We may also mention the praefect Symmachus, who belonged to the school of the rhetoricians, and whose letters are altogether imitations of those of Pliny, but very barren in historical matter. His panegyric, too, belongs to a school which reminds us of that of Pliny. Panegyric writers in general now came to be in vogue, such as Eumenius, Pacatus and others. This is a sad branch of literature, from which we see that people had ceased to be ashamed to flatter.

Of poetry there is not a trace until the time of Theodosius, if we except the epigram from the obelisk of Constantius, and that upon Constantine, which was placarded as a pasquinade.

With Theodosius a new spirit appeared in Latin literature. There now arose Claudian, a Greek of Alexandria, who in fact at first wrote in Greek. There are few examples of persons writing in a foreign language as correctly as he did ; perhaps Goldoni<sup>1</sup> is the only author who can in this respect be compared to him. M. Aurelius also wrote very good Greek. Claudian's language leaves nothing to be desired ; we see that his acquisition of the Latin language had been a task of love. He is a truly poetic genius, though after the fashion of the later Greek poets. He possesses an extraordinary command of mythological lore ; his language has a beautiful flow and great elegance. Sometimes his style is luxuriant ; but we read his poems with almost the same pleasure as we derive from those of Ovid. J. M. Gesner was extremely fond of him. After Claudian there arose a peculiar school of poetry ; for his influence was

very great. Merobaudes, whose fragments I had the happiness to discover at St. Gallen, was one of his followers. Although he was a native of the Western empire, yet his language contains much that deserves censure ; he, however, was not a mere wordmonger, but used language to express his feelings ; he is quite an enthusiastic admirer of Aëtius. The same Merobaudes is, no doubt, the author of a very excellent and profound poem which is printed in Fabricius' "*Poetae Christiani*."<sup>2</sup> Another poem on the miracles of Christ, which is printed among those of Claudian, seems likewise to belong to him ; for Claudian was a pagan, but Merobaudes a Christian. At the close of the century we meet with Sidonius Apollinaris, whom Gesner justly calls a great mind. His Latinity is Gallic, containing traces of the romance language ; and we see that the spoken language was widely different from that of literature : but it is evident that he was a man of very varied acquirements. There were at that time historians also, for the age was a stirring one and rich in materials, but most of their works have perished : a fragment of Renatus Profuturus,<sup>3</sup> which is still extant, gives us a very favourable notion of his ability. But the Christian writers who have not yet received the attention and study which they deserve, form quite a new literature. Of Lactantius, I have already spoken ; he is very important : others, such as St. Ambrose, are less so as authors. St. Jerome and St. Augustine are two great men, or rather giants : what I know of them justifies me in giving them high praise. The literary and critical writings of St. Jerome are dry and barren ; but in his other works he displays animation, elasticity of mind, learning to an immense extent, and wit which continues till his old age, and constitutes the predominant feature of his character. Had he not been an ecclesiastical writer, he *might* have shone by his wit in the same manner as Pascal did. St.

<sup>2</sup> P. 765. Comp. Niebuhr's pref. to Merobaudes, p. 10.

<sup>3</sup> In Gregorius Turonensis, ii. 8, he is called Renatus Profuturus Frigeridus.

<sup>1</sup> Is not perhaps Galiani meant here ?

Augustine possessed a truly philosophic mind ; he is as much guided by a desire to form an unbiassed conviction as any other of the great philosophers : in addition to this, his language is very noble ; he is not witty like St. Jerome, but he is eloquent, and in many passages excites our admiration. The last half of the fourth, and the whole of the fifth century, is the classical age of Christian literature. Sulpicius Severus' ecclesiastical history is a masterly production. I may here also mention the poems of Caelius Sedulius and Claudius Mamertus. The great activity of the Gallic mind belongs to that century ; for with all its distress, Gaul then had an excellent intellectual period. The writings of Salvianus, presbyter, or bishop of Marseilles, are very remarkable. He wrote on the government of God, and against avarice. The language is Gallican : his rhetorical tendency may be censured, but his works are extremely interesting on account of their political tendency, which is quite different from that which we find in Orosius. He describes all the misfortunes of the times ; but, instead of indulging in canting exhortations, he fastens upon those who had neglected their duties in times of prosperity, and especially upon the wealthy ; this political indignation against the rulers of the earth is quite singular. He has altogether a republican tendency, which is an interesting psychological and historical phenomenon. We see whither the eyes of the church were at that time directed: it had many republican elements of which Salvianus had a very clear perception. His real object is equality of property under the administration of elders. In point of time, Prudentius is the first of the Christian poets ; but his productions are not above mediocrity. The greatest Christian poet is Pope Hilarius, to whom we must undoubtedly ascribe a poem which was formerly assigned to St. Hilarius, who cannot, however, have been its author, as it is clear from the dedication that it was composed in the fifth century. It treats of the creation, is full of poetry, and is written quite in

the style of Lucretius, whom Hilarius evidently intended to imitate. His language and prosody are not free from errors ; but he is nevertheless a great poet. He was the friend of the great Pope Leo, by whom he was sent as ambassador to the furious council of Ephesus, in order to speak words of peace and conciliation. Pope Leo's writings too must be read by posterity ; for he was a talented author and altogether a distinguished man.

Greek literature in the fourth century is entirely rhetorical ; in the fifth it rises, and we meet with poets and historians. The latter begins with Eunapius, after whom there follows a succession of historians, as Priscus, Malchus, Candidus, and others. The philosophy of the New Platonists likewise continued its career ; and in the fifth century, poetry also reappears. The formation of the Eastern empire was evidently followed by consequences salutary to literature.

Architecture had fallen into complete decay as early as the fourth century. Constantine's buildings are the most barefaced robberies. His arch is copied from that of Trajan ; and all that belongs to his own age is contemptible. The place of painting was completely supplied by the art of working in mosaic, which at that time was really beautiful. In the chapel of Pope Hilarius there are very fine mosaics ; they were peculiar to the western countries, although there can be no doubt that the art originated at Alexandria. On the whole, ignorance and indifference to literature was ever on the increase, even in the higher classes ; the remembrance of earlier times had become quite extinct.

On the death of Theodosius, Arcadius, one of his two sons, was eighteen years old, and Honorius, the other, eleven. The latter was entrusted to the guardianship of Stilicho, and Rufinus governed the East, which had been assigned to Arcadius.<sup>4</sup> Stilicho was certainly not of Roman origin, though it is impossible to de-

<sup>4</sup> Comp. Gothofredus' Prosopography of the Theodosian Code.



cide the question as to his birth-place. In the wars of Theodosius he must have greatly distinguished himself, for he had risen to the rank of *magister utriusque militiae*, and Theodosius had given to him, in marriage, his own niece (his brother's daughter) Serena, whom he had adopted (the writers of that time call her *Regina*). Stilicho was complete master of the West; but in the East, Arcadius, supported by Eutropius, endeavoured to get rid of the guidance of Rufinus; and the latter, who was trying to get his daughter married to Arcadius, was disappointed by a dexterous court intrigue; but his eyes were soon opened, and he continued in the exercise of unlimited power. Stilicho wanted to go to Constantinople, by availing himself of the pretext of leading back the troops of the East, which were still stationed in Italy; but Rufinus, being terrified, caused the emperor to issue a command that he was not to stir. Stilicho dutifully gave up the plan, and sent the troops to the East. They advanced: Rufinus, who was taken by surprise in the field of Mars, near Constantinople, was surrounded and murdered. Power was now transferred, mainly, to the hands of Eutropius the eunuch.

Alaric was advancing with his Visigoths from east to west: he had revolted against the Roman empire soon after the death of Theodosius, and carried the war into Greece. The feeble life which still existed in that country was now entirely destroyed; and the country became quite prostrate, as it had been under Decius and Gallienus; but I have no time to dwell upon the history of the East. Stilicho brought succours and defeated Alaric,

who, however, escaped from his conqueror, and in the neighbourhood of Rhium crossed the Crissæan gulf with his booty, and went to Epirus. This shews that he was a great man. Soon afterwards, Alaric formed a reconciliation with the Eastern empire, and was appointed *magister militum* in Illyricum, under which title he was, in reality, imperial prefect. How he obtained that dignity, how he lost it, and when Illyricum ceased to be in the hands of the Goths and was reunited with the Eastern empire, are questions to which history furnishes no answers. In general, the history of the migration of the nations at that time, if accurately examined, presents questions and phenomena which defy all attempts to solve them. The history of that period is so imperfectly known, that it is impossible to form a decisive opinion upon the most important circumstances. The Ostrogoths, and perhaps also the Gepidae, likewise appear in Illyricum, in the reign of Valens. After the time of Attila, under the emperor Marcian, they appear in two kingdoms on the Danube.<sup>5</sup> Where had they been during the intermediate period? Under Attila, it is said, they were in Pannonia; but in what part of Pannonia? for on the north of the Danube they cannot have been. The history is in utter confusion, and new materials cannot be looked for; but I nevertheless believe, that by a careful and strict examination of the existing materials, many a question may yet be solved which Gibbon and others have not put to themselves at all.

<sup>5</sup> The words "on the Danube," do not exist in the MS. notes, and have been inserted by conjecture.

## LECTURE CXLVIII.

ALARIC now appeared in the Western empire, and it is not improbable that he was sent thither by the instigations of the East. Honorius and his court were then at Milan, which ever since the time of Maximian had frequently been the residence of the emperors, and had become a real capital. Milan, though very strongly fortified, was situated in a plain, and unable to protect Honorius: accordingly, when Alaric advanced from Aquileia, the emperor fled across the Alps. But when he had reached Asti in Piedmont, he was surrounded by the Goths; there Stilicho came to his relief, bringing with him all the forces he had been able to muster, but they were chiefly barbarians. Valour had become extinct in Italy, just as literature and the creative mind in it had disappeared. The Italians were counted only by heads, and it had become altogether impossible to levy troops among them. The states of the church and Naples, even in our days, would not be able to withstand a determined army of 600 men; and a few thousand Algerians, if they knew this weakness, might overwhelm and ransack Rome. On Easter Sunday, Stilicho with his army attacked the Goths near Polentia, in the territory of Montferrat, and was victorious. Fanaticism imputed it to him as a crime that he had fought the battle on a sacred day. The Goths were not dispersed, but were obliged to think of a retreat. Alaric made a bold move in advance towards Rome, but Stilicho followed him. After a second unsuccessful engagement, Alaric concluded a convention, and withdrew from Italy. Honorius triumphed, and built a triumphal arch, which was still standing in the 14th century, but was then unfortunately broken down. Another monument of that period still exists, viz., the inscription on the Porta S. Lorenzo, in which the traces of

Stilicho's name are still visible; and he is said to have restored the walls *egestis immensibus ruderibus*. Aurelian had fortified Rome: but after his time the walls were in a very bad condition, and Stilicho now repaired them. There can be no doubt that the Monte Testaccio arose on that occasion, the walls having previously been buried in shells. It is a marsh filled up with shells.

Soon after Alaric had withdrawn to Illyricum, Italy was visited by a fresh disaster. Radagaisus, who is likewise said to have been a Goth, but who was unconnected with the Ostrogoths, advanced with an army of Suevi, Vandals, and other nations, which were not yet Christians, and were accordingly much more cruel than the Goths. They invaded Italy from the Alps, traversing the unfortunate plains of Lombardy, and laid siege to Florence. There Stilicho again met them, and with extraordinary skill forced them back into the Apennines. It is hardly conceivable how those swarms allowed themselves so quietly to be driven into the mountains. Most of them perished in their distressing situation, but many surrendered and were sold as slaves in great numbers.

Italy was thus saved. The Eastern empire, although at peace with Persia, did not take the least part in the dangers and misfortunes of the West. It had been necessary to draw the forces away from the Rhenish frontier and from Britain, whence Britain separated itself from the Roman empire. The troops on the Rhine were very much weakened, and unable to withstand the attacks of the Alemannians, Burgundians, Suevi, Vandals, and Alani. These nations crossed the Rhine in A.D. 407, and spread over Gaul, which was fearfully oppressed by the taxes which were levied by the barbarians. Its sufferings were aggravated by the system of solidary obligation, whereby each community was made

answerable for the sums imposed upon it: in the first place, the decuriones, who were mostly selected from among the wealthy, were made responsible for the money, and if they were unable to pay it, they were subjected even to tortures, and were then left to collect it again as best they could. Hence many would rather be sold into slavery than accept such a dignity. There were very minute laws to compel people to accept the office of decurio, and most of their regulations have reference to the excuses which were not to be considered valid. This burden, of which no remission was granted, stirred up the peasant wars as early as the third century, of which we find the first traces in the reign of Gallienus, and which after his time never ceased. The appearance of the Bagaudae (this is the name of those peasants) has very much occupied the attention of French antiquaries; they consisted of the inhabitants of entire districts which were in arms to resist the extortions of the government. The details of the distress now inflicted upon the Gauls by the barbarians are unknown. But the warlike spirit arose earlier there than in Italy. The inhabitants of Auvergne became truly warlike, and defended themselves against the attacks of their enemies. When Gaul was ransacked, those nations directed their steps towards Spain. The Suevi, Alani, and Vandals evacuated Gaul entirely; the Burgundians remained behind in Bourgogne, Franche Comté, and Savoy, and afterwards also in Dauphiné: at that time they occupied the country of the Aequi and Sequani, and the western parts of Switzerland. The Suevi and Vandals in Spain were quite independent of the Roman empire, and always remained hostile; whereas the Burgundians, a small tribe in an extensive country, recognised the supremacy of Rome like that of a feudal sovereign, in gratitude for being permitted to form settlements in its dominions.

Stilicho was unable to save Gaul, and much censure was heaped upon him on that account; he excited mistrust in Honorius and at the court, as

soon as his son Eucherius grew up to manhood. Honorius had been successively married to two daughters of Stilicho, Maria and Thermantia. Maria died without leaving any children, and as Thermantia too was not expected to become a mother, everybody anticipated that Stilicho would make his son emperor. But it is by no means proved that Stilicho aimed at the life of Honorius: it is much more probable, that if he had been let alone, he would have quietly waited till the death of Honorius, and then it would have been quite a matter of course that Eucherius should have succeeded, for Stilicho was the pillar of the empire, and he alone made an imposing impression upon Alaric. Honorius now formed a conspiracy against Stilicho; just as Louis XIII. conspired against one of his subjects, and after having previously caused an insurrection of the army, got him assassinated in his palace. Stilicho's friends were first murdered; he himself fled into a church, but was dragged forth from it and killed, together with his son. His widow, Serena, was sentenced to death by the infamous senate.

The murder of Stilicho was a pretext for Alaric again to invade Italy. Honorius took up his residence in the inaccessible town of Ravenna, which then, like Venice at present, was situated upon islands, being separated by lagoons from the mainland, with which it was connected only by a neck of land. Alaric did not trouble himself with the siege of Ravenna, but marched on the Flaminian road towards Rome and blockaded it. The city soon began to suffer from the most fearful famine. People were murdered in order that their bodies might serve for food; and even children are said to have been eaten by their own parents. In addition to this there arose a plague, the necessary consequence of such circumstances. At last a capitulation was agreed to. It is not easy to see why Alaric entered into it; but he probably did so because the summer had already commenced, so that his army too began to suffer from epidemics. Rome ransomed itself. Ne-

negotiations for peace were to be commenced between the court of Ravenna and Alaric; and the emperor was to appoint Alaric commander-in-chief of all the forces of the Western empire. But these negotiations producing no results, Alaric returned to Rome a second time: the senate deserted Honorius; Alaric proclaimed Attalus, the *præfectus prætorio*, emperor, marched with him to Ravenna, and Honorius was so pusillanimous as to recognise Attalus as his colleague. Meantime reinforcements arrived in the port of Ravenna, Attalus fell into disgrace with Alaric, Honorius again broke off the negotiations, and Alaric returned to Rome a third time. The memorable and fearful destruction of Rome took place on the 24th August, A.D. 410. The Salarian gate, which is still standing, was opened to the Goths by treachery. Rome experienced many of the horrors of a city taken by storm; but little blood was shed, though many people were carried away into captivity. The Goths knew no measure in their lust and rapacity: the inhabitants were compelled by torture to disclose where they had concealed their treasures; the churches alone were not plundered. After the plunder had lasted for three days, the enemy began to evacuate the city, which the

last of them quitted on the sixth day. Alaric marched southward as far as Rhegium, wanting to cross over to Sicily, but he turned back. Two years after the taking of Rome, he died at Cosenza.<sup>1</sup> The command of his army was given to Athaulf, his brother-in-law: he was different from Alaric, and feeling an attachment to the Romans, he left Italy, and went to Languedoc. He ruled as an independent prince, and as an ally of Rome, over a country on both sides of the Pyrenees, comprising a part of Languedoc and Catalonia. He married Placidia, the sister of Honorius, who had been carried away a prisoner, and who now drew the bond of union between her husband and brother so closely, that it became an actual friendship. Athaulf had already led his troops to Spain, where he conquered the Vandals, Suevi, and Alani, and drove them into Asturia, Gallicia, and Lusitania; the provinces which he did not occupy himself, he restored to the Roman empire. He likewise did good service against a usurper, Jovinus, and his brother Sebastianus.

<sup>1</sup> This is referred to in the excellent poem of Count Von Platen, entitled "*Das Grab im Busento*."—N.

## LECTURE CXLIX.

WHILE Alaric was in Italy, an officer of the name of Constantine had been proclaimed Augustus by the soldiers in Britain, and had been recognised in Gaul. Another usurper, Gerontius, who had raised his friend Maximus to the throne, rose against him. An army of Honorius, under the command of Constantius, marched into Gaul, apparently to assist Constantine, which was very good policy. Constantius compelled Gerontius and Maximus, who were besieging Arles, to make away with themselves: in like manner he afterwards continued the

war against Constantine, and thus restored Gaul and Spain to the Romans. After Athaulf's death, he was rewarded for this service with the hand of Galla Placidia. The friendly relations between the Visigoths and Romans once more ceased, Singeric and Wallia having turned against the Romans; for the Visigoths were very jealous of their independence, and they now returned to their former condition. From this time forward, down to the invasion of Attila, Italy enjoyed peace, if we except the plundering devastation of the sea-coast by Genseric; but we



may easily imagine how slow its progress towards recovery must have been. Honorius died in A.D. 423.

Placidia had borne two children to Constantius—Placidus Valentinian and Justa Grata Honorina, both of whom proved to be misfortunes for the empire. Constantius had forced Honorius to raise him to the rank of Augustus; but he died immediately afterwards, and even before Honorius. His son was only four years old at the time of Honorius' death, and accordingly could not succeed to the throne. Arcadius had previously died; and the government was nominally in the hands of his very youthful son, Theodosius II., who throughout his life remained in a state of dependence, his sister Pulcheria, in reality, holding the reins of government, which was a misfortune for the East. Galla Placidia fled with her children to Constantinople; but before succour came from that quarter, a usurper, John, the first emperor bearing a Christian name,<sup>2</sup> took possession of the government, and ruled for two years. Theodosius, however, gave the crown to his cousin, the boy Valentinian III., and sent two armies to Italy under the command of two Isaurians, Ardaburius and Aspar. This undertaking did not at once succeed, the fleet being dispersed by a storm; but Aspar penetrated, without any difficulty, through Illyricum, which seems to have come again under the sovereignty of the emperor. John was abandoned by his troops, and Placidus<sup>3</sup> Valentinian proclaimed emperor.

His mother Placidia now ruled over the West, not indeed in such a manner as to deserve great praise; but after her death, about the middle of the century, when her son stood alone, matters became much worse. Rome was then richer in great men than in the times of the better emperors; we must mention in particular Bonifacius

and Ætius, neither of whom could supplant the other, without bringing about the downfall of the empire. The personal character of Bonifacius is little known, but he appears to have been an Italian; Ætius was a Scythian, that is a native of lower Moesia, from the district of Silistria, and descended from a Latin family, notwithstanding his Greek name. His father was a man of rank, and had lost his life by treachery or a tyrannical act of Alaric. The age of Ætius cannot be accurately determined; at the time of his death he must have been between fifty and sixty, or even upwards of sixty; for when a young man he had been a hostage with Alaric and the Huns, to whom he was afterwards frequently employed as an ambassador. He made an imposing impression on them, by being equal to them in valour and yet having the advantages of a higher education. He was an extraordinary man, whom the rulers ought to have let alone, as the Athenians should have done in the case of Alcibiades; but he was by no means of an unblemished character: he was unjust and hostile towards Bonifacius, a circumstance which brought great misery upon the empire. His influence with Placidia and Valentinian was unlimited, and thus he caused Bonifacius, who was governor (*comes*) of Africa, to be recalled and summoned to Ravenna, where the court was then residing. Bonifacius could not expect anything but that he would there be put to death, and accordingly formed the unfortunate resolution of inviting the Vandals, who were then in the west of Spain, to come to Africa. They came under Gonderic; and the devastation of Africa, from the Straits of Gibraltar to Carthage, was the consequence. No German tribe ever carried on war with such faithlessness and obstinacy. Before this time Africa had suffered little. They were supported by the Donatists, who by terrible persecutions had been reduced to despair: they were in reality only rigorists who had separated in consequence of the election of a bishop under Diocletian: they were a rude

<sup>2</sup> John, however, is not altogether a Christian name, for Johannes Lydus was certainly a pagan.

<sup>3</sup> The form *Placidius* is not supported by as good authority; on coins and monuments we generally find *Placidus*.

sect, but noble fanatics, who were terribly ill-used. There is no doubt that their persecution was continued afterwards, and that the Arabs met with support among them: the oppressed found their deliverers in the barbarians. These events should be a lesson to those who are determined not to see the misfortune which is the result of intolerance, or, as it deserves to be called, injustice. This fearful persecution of the Donatists had even then lasted upwards of a hundred years. Genseric, who succeeded his brother Gonderic, took possession of the whole country, with the exception of a few places, in A.D. 429; the Moorish tribes were left in peace and perfectly free, the dominion of the Vandals extending only over the territory of Tunis and the maritime towns. Bonifacius' eyes were now opened to the terrible misfortune which he had occasioned; and he in vain endeavoured to check the tide of events. He received the confidence of Placidia, who in this respect showed a noble mind; she sent him troops, which were however defeated in two decisive battles. After some years, a truce and peace were concluded, in which Rome gave up the greater part of Africa, except Carthage and some other places. This peace, however, was not kept by the faithless Genseric, who availing himself of the facilities it afforded him, made himself master of Carthage. Carthage was, next to Rome, the greatest city in the Western empire, and stood to Rome in the same relation as Adrianople to Constantinople. Its circumference was immense; it was situated outside the ancient city, of the gardens of which it occupied the site. Salvianus of Marseilles describes what the place was, but he says that one ought rather to rejoice at than to lament its capture by the barbarians, for immorality had reached its highest point, and it is inconceivable how the city could call itself Christian. In earlier times, Christianity had indeed exercised a salutary influence upon many individuals, but since it had been adopted by the masses, the select community

ceased to exist, and it no longer exercised any influence upon the morals of the bulk of the population. It is remarkable to see how, at that time, entire cities became Christian with the same frivolity with which they proclaimed a new ruler, the population remaining as thoroughly bad as it had been before. It was the greatest misfortune for the world and for Christianity, that Constantine made the latter become so quickly the universal religion; the hierarchy grew worse and worse: there still existed indeed popes like Leo the Great, but at the same time many bishops were worthless.

The Vandals sailed from Africa on plundering expeditions with their fleets to Sicily, Sardinia, Corsica, and the coasts of Italy; and this piracy inflicted new miseries on Italy, which had already somewhat recovered: many districts, it is true, had remained waste, and most of the inhabitants had surrendered themselves to the *grandees* as serfs. Another misfortune was, that most of the Roman nobles had their estates in Africa, and these families, the accounts of whose wealth sound quite fabulous, were ruined, for Genseric confiscated everything.

A new tempest now broke forth in another quarter; this was the Huns, who had formerly expelled the Goths. We have no distinct traces of their abodes in the time of Theodosius and his sons, but they probably lived in the country from the Don to Wallachia. In the early part of the reign of Theodosius we find them on the Danube, and they even advanced across the Theiss into Pannonia. Our accounts of all these occurrences are too miserable to enable us to see our way clearly. Desguigne's hypothesis that they came from China is wrong, as I have already remarked, and has been justly abandoned. The Huns now appear in Pannonia, the boundary of which must have been lost by the Romans. Bledas and Attila (*Bledel* and *Etsel*), the two sons<sup>4</sup> of Rugilas, appeared with a formidable power as kings of the Huns. Gibbon's descrip-

<sup>4</sup> It should rather be *nephews*.

tion of Attila's power, however, is one of the weak parts of his work, for he believes that Attila's empire extended as far as China. It may have extended beyond the Don to the Volga. The German tribes did homage to him, as we see from our ancient poems ; hence he spared them, and the poems do not speak ill of him. The main strength of his empire, as Frederik Schlegel has justly observed, consisted in the German tribes ; though he himself, as Jornandes describes him, was a Mongol, and surrounded by Mongols ; but that Mongolic tribe was comparatively weak, whence the Germans became free immediately after his death. Until the middle of the fifth century, Attila had directed his arms against the Eastern empire only, which he fearfully harassed by devastation, disgraceful peaces, and tribute. Servia and the greater part of Bulgaria were changed by him into a complete wilderness. The Huns were literally destroyers, fierce and blood-thirsty, and very different from the Goths. The Western empire was not in a condition to send assistance to the distressed East, being itself hard pressed by the Vandals. There existed at that time even a kind of friendly relation between the Western empire and the Huns, manifested by the interchange of presents. Aëtius was exiled and had gone to the Huns ; but he afterwards returned, and under their protection established his power in the empire, until it was so firm that he no longer required them. He had restored the authority of Rome beyond all expectation. In Gaul, he had subdued the distant countries on the sea coast which had made themselves independent. The frontier of the Rhine was also destroyed, but only in such a manner that the Franks occupied the country from Belgium to the Saone ; and that the Burgundians, though they were governed by kings of their own, had to pay tribute to Rome. But Provence, a part of Dauphiné, Lower Languedoc, the country about the Lower Loire, Auvergne, and the north-west of Gaul, and also Spain on the Mediterranean, with the exception

of Catalonia, were subject to Rome. The Visigoths occupied the south of Spain. No European country is so divided as the Western empire then was ; those countries were for the most part heaps of ruins, and reduced to the greatest misery ; of which we may form some conception if we read the poems of Logau, referring to the period at the end of the Thirty-Years' war.

Attila was induced to march into Gaul by a dispute with a Frankish dynasty. Aëtius there united against him the troops of the Visigoths, the ruling party of the Franks in Gaul, under Merovaeus and the Burgundians, with the feeble power of the empire. Nearly all his troops were barbarians, but they were guided by his spirit. Attila was besieging Orleans, which was on the point of falling into his hands, and would have been destroyed like the cities on the Rhine, when Aëtius and Theodoric, king of the Visigoths, came to its relief. Attila retreated into Champagne (*Campi Catalaunici*). The decisive battle, in the year A.D. 451, is incorrectly called the battle of Chalons. I consider this by no means accurate ; for the *Campi Catalaunici* is Champagne, and it is, therefore, unnecessary to place the scene of the battle in the neighbourhood of Chalons. In that fearful battle, Attila led the barbarians of the East against the barbarians of the West, the Germans preponderating among the latter. Aëtius, however, had to fight, not only against greater numbers, but also against treachery : the Alani, stationed in the centre of the army, gave way, and the Huns broke into it. The Visigoths were on the point of being routed, and Theodoric was killed ; but Thorismund, his heir, led the decisive attack ; and Aëtius, too, in the end, conquered. The Huns were not defeated, but withdrew to their fortress of waggons ; and as Aëtius did not venture to pursue them any farther, both belligerent parties retreated. The reported number of the slain and captured in that battle are quite incredible.

After the winter had passed away, Attila appeared in Italy, where Aëtius

could oppose to him only the weak and untrustworthy army of the country, which had become quite unwarlike. Aquileia, Padua, and other towns, were destroyed, and all who did not escape were murdered : many fled into

the marshes, and this was the occasion of the foundation of Venice. The details related of the first tribunes of Venice and the like, are fabulous. Attila had been invited to come to Italy by the princess Honoria.

## LECTURE CL.

THE death of Attila, which soon followed, would perhaps have quieted Italy, had not Ætius, the only support of Rome, been killed at the same time. If Ætius had wished it, he might have revolted long before, and usurped the throne ; but he was satisfied with being acknowledged as the real sovereign of the empire. His title was *Patricius*, but in chronicles he is also called *Dux Romanorum*. His younger son, Gaudentius, was betrothed to Eudoxia, the daughter of Valentinian ; both were yet very young, and Ætius no doubt thereby intended to secure the succession to Gaudentius. Valentinian, however, was not yet advanced in years, and apprehensive that he might be deprived of his government, if Ætius' plan succeeded, he conspired against him. Ætius unsuspectingly went to Rome ; and having entered the imperial palace on the Palatine, Valentinian himself ran him through with his sword. It was no doubt customary at Rome, as it was at Constantinople, that no one should appear before the emperor armed. His son, too, and many of his friends, were murdered. I am inclined to believe that this event was the cause of Ricimer's rising : he at least appears soon after in Ætius' place. Rome was now deprived of the great man who alone could secure the safety of the empire ; for all the successors of Valentinian held their power only nominally. Valentinian completed the misery of the state by an outrage which he committed on the wife of Petronius Maximus, whom he treacherously enticed into the palace for the purpose of satisfying his base lust. This deed roused the injured

husband to form a conspiracy. Valentinian was murdered in the field of Mars, and Petronius Maximus was proclaimed emperor.

Meantime the wife of the latter died, and he compelled Valentinian's widow, Eudoxia, to marry him ; but she, who had loved her former husband, notwithstanding his dissoluteness, now brooded over the means of revenge. She invited Genseric to come to Rome, and take possession of the city. This conquest was so easy, that we can hardly conceive why he did not undertake it before, or repeat it afterwards : the influence of the empress is visible throughout. Genseric appeared ; the clergy and senate went out to meet him, imploring his mercy, and he promised not to destroy the people. But, notwithstanding this, the rage of the soldiers was almost as unbridled as if the city had been taken by storm, except that not so much blood was shed. The city was plundered for fourteen days. All the silver and works of art in bronze were carried away ; the gold plates and the gilt tiles on the Capitol ; nay, everything of any value that could be moved was conveyed to the ships of the Vandals stationed at Ostia. Petronius himself was slain during the tumult, and the conquerors left Rome exhausted and lifeless. The senate did not venture to proclaim a new emperor.

At this moment M. Maecilius Avitus, a very wealthy and highly educated nobleman, set himself up as emperor in Auvergne, and crossed the Alps. No one had really proclaimed him, but circumstances had become quite



altered : the army in the provinces did not proclaim the emperor, but a peculiar custom had gradually arisen, according to which, in cases where there was no heir, the senate elected the emperor, the people sanctioned the election by acclamation, and the soldiers recognised it. Avitus, on his arrival in Rome, was acknowledged emperor; but Ricimer, a Suevian of royal descent, was now all powerful in the city. All the barbarians who acted a prominent part at Rome, must not be looked upon as savages : they were Christians, and spoke and understood the *lingua vulgaris*, which already resembled the Italian more than the Latin; they were just as civilised as our ancestors in the middle ages. A few of them had a shadow of classical education, as Theodoric the Visigoth, and the younger Alaric; but the case was quite different with Ricimer and his equals, who no doubt heartily despised the culture of the Romans. Those Germans, unfortunately, were not one shade better than the effeminate Italians; they were just as faithless and cruel. Ricimer soon became faithless to Avitus, who took possession of the bishopric of Placentia; but soon quitted that place also, and seems to have died a natural death, in consequence of a disease which was brought on by the persecutions to which he was exposed.

Ricimer now raised to the place of Avitus a man of a character such as one would hardly expect to meet with in the time of Rome's decay. This was Majorian, apparently a native of Italy (A.D. 457). Unwarlike as the Italian people then were, they still produced distinguished generals, as we see in the case of Aëtius and Majorian. The latter certainly deserves the praise bestowed upon him by Procopius. Sidonius, the inscription on his tomb, his laws, the single traits which are related of him—all are unanimous in his praise. Procopius says that he excelled all Roman emperors; and he certainly was a man of high character and of very practical mind. He maintained his station for four years; and although he had by his side the faith-

less barbarian Ricimer, who had the main forces of the empire at his disposal, yet Majorian was lord and master. The Visigoths in Upper Languedoc and Catalonia acknowledged his personal greatness, and did homage to him and the majesty of the Roman empire, which he had restored. The Vandals were the plague of the empire: he intended therefore to undertake an expedition against them, for which he had made extraordinary preparations, being determined to come to no arrangement with them, but to destroy them. He would indeed have crushed them, had he not been thwarted by domestic treachery. It is evident that Ricimer betrayed him, and induced Genseric to cause a conflagration in the Roman fleet at Carthage. Majorian, nevertheless, concluded an advantageous peace, which secured at least the coasts of Italy and Sicily. When he returned, a conspiracy was formed against him at the instigation of Ricimer: he was compelled to abdicate, and died a few days afterwards (A.D. 461).

Ricimer's unlimited power under a nominal emperor lasted until A.D. 467. During those seven years, the name of sovereign was borne by an utterly unknown emperor, Libius Severus. Ricimer had a mercenary army, consisting of what are called *foederati*, which included all kinds of German tribes, and he regarded Italy as his kingdom; but his own condition, in which he had to protect Italy, was dangerous, and he could not maintain it against Genseric. His power was limited. All that the Romans yet possessed in Gaul and Spain were under the command of the *magister militum*, Aegidius, a very distinguished man and a Roman, who made himself independent, ruling over Spain and a part of Gaul. Marcellinus, another commander, an old and faithful servant of Aëtius, set himself up as prince of Illyricum. After Severus' death, A.D. 465, Ricimer ruled alone, being confined to Italy, which country was still a prey to the Vandal pirates. Under these circumstances, Ricimer

allowed the senate to apply to the Emperor Leo at Constantinople, with the request that he would appoint an emperor under his own supremacy, and succour Italy.

Leo appointed Anthemius, a son-in-law of his predecessor Marcian, whom he was glad to get rid of, and sent him to the West with considerable forces, making preparations for a great undertaking against the Vandals. By the death of Aegidius the prefecture of Gaul had become reunited to Italy, and Marcellinus too had placed Illyricum again under the supremacy of the emperor. By an expedition made from Italy, Sardinia was taken from the Vandals; and Basiliscus, a general of the East, and Leo's brother-in-law, led a great army against Carthage, while another was sent against Tripolis. The undertaking was hopeful, and its commencement successful; but Genseric, who always conquered by discovering the venal among his opponents, averted the decisive blow by cunning and fraud: there is even a suspicion that Basiliscus sold himself, and it is not impossible that Ricimer too was guilty; but however this may be, the expedition proved an utter failure. Ricimer and Anthemius now quarrelled with each other, although Anthemius had given his daughter in marriage to Ricimer. Thus the aid expected from the Eastern empire occasioned a greater misfortune than that against which it been besought. Ricimer took up his court at Milan, while Anthemius resided at Rome. Both were implacable enemies, and an attempt at a reconciliation led to nothing.

A new pretender, Olybrius, the husband of Valentinian's younger daughter, who, besides this claim, put forth those of the Anician family, now offered himself to Ricimer, who caused him to be proclaimed; but Anthemius refused to surrender Rome, which was besieged by Ricimer for three months. At length Ricimer forced his way into the city by the bridge. It was taken by storm, and experienced all the horrors of a conquered city. As the marriage of Ricimer with the daughter

of Anthemius had been the last brilliant event for Rome, so this capture of the city was the most fearful calamity that had ever befallen it, more fearful even than the conquest by the Goths and Vandals. Pope Gelasius expresses himself very strongly respecting the horrible deeds of destruction which were perpetrated on that occasion. Anthemius himself was killed: Ricimer and Olybrius survived him only a few months. About this time there seem to have been epidemics, which are in fact mentioned.

Gundobald, king of the Burgundians, who had now become *patricius* and succeeded Ricimer, proclaimed Glycerius emperor. But the court of Constantinople sent against him Julius Nepos, likewise a noble Roman, who, with some assistance from Constantinople, took possession of Rome and Ravenna. Glycerius abdicated; but Orestes, a Roman of Noricum, who had risen into importance as early as the time of Attila, refused obedience to Nepos. After the withdrawal of Gundobald from Italy, Orestes became *patricius*, that is, commander-in-chief. Although a native of Rome, he had been brought up among barbarians, and had adopted their language, manners, dress, and mode of living. For reasons with which we are not acquainted, he proclaimed as emperor his son Romulus, who had received his strange name from his maternal grandfather, a *Comes* Romulus of Noricum.

Even Nepos had given up the Roman possessions in Gaul, that he might be acknowledged by the Visigoths; and what he ceded to them was more than they could occupy. The people of Auvergne gave up the hopeless thought of resistance; but in the north of Gaul, between the Burgundians and Franks, a considerable part of the country was still Roman, though it had been separated from the body of the Roman empire as early as the death of Aegidius. It was now governed by Syagrius, and continued to be so ten years after the fall of the Western empire, until Syagrius too was overpowered by Clovis. Romulus,

who was not called Augustus, but Augustulus, was the last emperor. The barbarous nations, stirred up by Odoacer, a German prince, rose against him; they not only claimed their extravagant pay, but demanded the third part of the landed property as their feudal possession, as was the case with the Visigoths and Burgundians. As Orestes refused to grant this, they rebelled, and wishing to have a ruler of their own, they proclaimed Odoacer king. The latter defeated Orestes and his brother in two battles, and both lost their lives. When Odoacer came to Ravenna, Romulus surrendered to him; he was treated humanely, and was sent with an ample revenue to the Lucullanum in Campania. Whether he there died a natural death or not is unknown.

Thus ended the Roman empire.

Some buildings of the fifth century still exist; the magnificent church of St. Paul, though made up of parts stolen from other buildings, was nevertheless built in a grand style, and very

ingeniously constructed. The robbery is described in a *novella* of the emperor Majorian, which forbade it. A hundred and fifty years ago there still existed in the church of St. Agata de Goti a piece of mosaic, from which it was clear that that church had been built and dedicated by Ricimer.

Although the Romans ceased to form a state, still the history of this nation did not yet become extinct; and even their literature continued to exist partly at Rome, partly at Ravenna. We still possess a number of small poems and inscriptions on tombs and churches, many of which are elegant and beautiful. One sees that the times were not yet barbarous, and Boëthius was worthy of the best ages of literature. Several of the Scholiasts still extant, such as Acron and Porphyrio, belong to the seventh and eighth centuries. The Roman law continued much more uninterruptedly than is commonly believed. An account of the continued influence of the Roman intellect would be very attractive and desirable.

# INDEX.

## A.

ABGARUS, King of Edessa, his letter to our Saviour, 744  
 Achaia, decline of, 481 ; Roman quarrel with the Achaeans, 482 ; declare war with the Romans, 484  
 Acilius' Roman Annals, 19, 453  
*Acta diurna*, a kind of newspaper, 7  
 Actium, battle of, 649  
 Addition of a debtor by the praetor, 140  
 Adrianople, battle of, 783  
 Aediles, the only real magistrates of the plebeians, 147 ; the curule, 236  
 Aedui, the, 605  
 Aelia Capitolina, Jerusalem restored under the name of, 724  
*Aelia et Fufia, lex*, 468  
 Aemilianus, as a surname of Scipio, 474  
 Aemilius Paullus, L., consulship of, 395 ; mortally wounded at Cannae, 396  
 ——— conducts the Macedonian war, 462 ; cruel use of his victory, 463 ; his brilliant triumph, 465  
 ——— Scaurus, M., his conduct of the Jugurthine war, 523  
 Aeneas, legend of, 67  
 Aequi Falisci, war on the, 213  
 Aequians, victory over the, 203  
*Aerarium* and *publicum* distinguished, 142  
 Aesculapius brought to Rome from Epidaurus, 306  
 Aëtius, the Scythian, influence of, 792 ; his titles of *Patrius*, or. Commander-in-Chief, and *Dux Romanorum*, 795  
 Aetolians, Roman treaty with the, 423 ; war against, 438  
 Agrarian law, 152, 204, 232 ; of Tib. Gracchus, 500  
 Agricola's life by Tacitus, 712, 721  
 Agriculture in Italy, 143  
 Agrigentum besieged by the Romans, 339 ; escape of the

besieged army, ib. ; taken, 340  
 Agrippa, the 'admiral of Octavian, 649 ; marries Julia, daughter of Augustus, 670 ; his measures beneficial, ib. ; family of, 672  
 Alaric advances with the Visigoths, 788  
 Alba Longa, proofs of its early existence, 74 ; destruction of, 85  
 Alban lake drained for the conquest of Veii, 209 ; tunnel for draining it, 211 ; description of the works, ib.  
 Alesia besieged by Caesar, 608  
 Alexander the Great, embassy from Rome to him at Babylon, 270  
 ——— Molossian, his attempt to establish a kingdom in Italy, 267 ; concludes peace with the Romans, 268 ; his death, ib.  
 Alexander Severus, accession of, 746 ; his government the regency of his mother, Mamaea, 747 ; declares war on Ardschir, king of Persia, 749  
 Alexandrine kingdom (Egypt) attacked by Philip and Antiochus, 424  
 ——— library burnt, 619  
 ——— war, Hirtius on Caesar's, 619  
 Alexo discovers to Himilco a plot against the Carthaginians, 351  
 Algidus (Mount) described, 167  
 Alia, the Romans defeated by the Gauls in the battle at the, 220  
 Allifae, battle of, 288  
 Alphabetical writing, three independent sources of, 4  
 Alpine tribes, subjugation of, 675  
 Ambassadors (Roman) violating the law of nations against the Gauls, 218  
 Ambracia, siege of, 438  
 Ancient rites and ceremonies continued in Christian Rome, 651  
 Ancus Martius, 87 ; creator of the plebs 92  
 Andrisus, the pseudo-Philip,

escapes from Rome, 480 ; conquers the Macedonians and assumes the diadem, ib. ; taken prisoner in Thrace, and put to death, 481  
*Annales Pontificum*, 5  
*Annalis, lex*, 413  
 Anthemius appointed emperor under the supremacy of Leo, at Constantinople, 797  
 Antiochus the Great, undeservedly so surnamed, 434 ; Hannibal joins, 436 ; joins the Aetolians, ib. ; sends back Scipio's son without ransom, 440  
 Antium, fall of, 165 ; restored to the Volscians, 172  
 Antoninus Pius, T., Emperor, 729 ; origin of his surname Pius, 730  
 ——— M. Aurelius, *see* Aurelius  
 Antony, M., the triumvir, 611 ; offers the diadem to Caesar, 626 ; delivers the funeral oration over him, 631 ; declared a public enemy, 634 ; invites Cleopatra to join him in Cilicia, 642 ; unsuccessful in the war against the Parthians, 646 ; divorces Octavia, 648 ; his suicide, and that of Cleopatra, 650  
 Apollodorus, Trajan's architect, 719 ; his portrait the most ancient of an artist, 46  
 Appian's Roman history, 45  
 ——— road described, 296  
 Appius Claudius, the decemvir, his iniquitous decision, 185 ; his death, 189  
 ——— the Blind, 273 ; poem of, 14  
 Apuleius, his works a storehouse of ancient Latin, 727  
 Apulia described, 275  
*Aqua Appia*, the aqueduct, 297  
 Arbogastes, Frankish general of Valentinian, 784  
 Arcadius and Honorius, sons of Theodosius, 787  
 Archytas, the Leibnitz of his time, 265  
 Ardschir restores the Persian empire, 749



*Argentea aetas* of Roman literature, 697  
 Aricia, battle of, 132  
 Aristonicus, king of Pergamus, defeated, 494  
 Army, composition of the Roman, 112; the legions become a standing, 446  
 Arts, their flourishing condition in the time of Trajan, 720  
 Arverni, the, 605  
 Asculum, battle of, 322  
 Asia, constitution of the province of, 504; kingdoms of, 550; massacre of Roman citizens in, 552  
 Asinius Pollio, 660; cause of his hostility to Pompey, 646  
 Ἀσφάλεια, the prevailing feature in Roman tactics, 302  
 Assemblies of the people, proceedings in, 163  
*Atellanae* and *praetextatae*, 451  
 Athanasians, or Homoousii, 781  
 Attalus of Pergamus, Roman alliance with, 425; his base character, 493; bequeaths his kingdom to the Romans, 493  
 Attila, king of the Huns, 793; a Mongol, 794  
 Attius, L., his imitation of Aeschylus, 570  
 ——— Navius, the augur, 92  
 Augustan age of literature, 661  
 Augustine (St.), 787; of Punic origin, 335  
 Augustulus (Romulus), the last emperor of Rome, 798  
 Augustus gives his ring to Agrippa, 671; his family, 672; found Rome a city of bricks, and left it of marble, 673; closed the temple of Janus, 674; thoroughly shaken by the defeat of Varus, 680; dies at Nola, giving his ring to Tiberius, ib.; expectant successors of, 684; his enormous wealth, 657. (See Octavian.)  
 Aurelian, restorer of the Roman empire, 762; gives up Dacia to the Goths, 763; murdered, 764  
 Aurelius Antoninus, M., the very embodiment of human virtue, 729; succeeds Antoninus Pius, 730; the noblest character of his time, 730; his "Meditations," 731; adored like a heaven-born ruler, 732; his unhappiness, ib.  
 Aureolus proclaimed emperor, 762  
 Aurruncan war, 136  
 Authors (Roman) first wrote in Greek, 12

*Auxilia* distinguished from *socii*, 605  
 Avidius Cassius, insurrection of, 734; murdered by a Centurion, 735  
 Avitus, the emperor, 796

## B.

BAGRADAS, huge serpent in the river, 345  
 Barcas, the Carthaginian surname, 354  
*Basilicae*, origin of the application of the word to Christian churches, 448  
 Battles prevented by thunderstorms, 402  
 Bayle's historical scepticism, 53  
 Belgians subdued by Caesar, 606  
 Bibulus, M. Calpurnius, 614  
 Bithynia bequeathed to the Romans by Nicomedes, 570  
 Black death in Germany, 733  
 Blossius' answer to a captious question about Tib. Gracchus, 506  
 Boadicea defeated by Suetonius Paulinus, 700  
 Boarding bridges, 341  
 Bocchus delivers up Jugurtha to the Romans, 527  
 Boeotians join the Romans against Philip, 428  
 Boians, war with the, 433; their annihilation, ib.  
 Bonifacius invites the Vandals to Africa, 792  
 Bovianum thrice taken by the Romans, 287  
 Bozra, the original name of Carthage, 333; the citadel, 478  
 Brandy in Egypt, paintings representing its distillation, 385  
 Brennus, king of the Gauls, Celtic meaning of the name, 215  
 Bribery, Roman law of, 469  
 Britain, Caesar's first invasion of, 606; second, 607; separates itself from the Roman empire, 789  
 British empire alone a parallel to Rome, 1  
 Brutus, L. Junius, a plebeian, 125  
 ——— M., Cicero's and Caesar's friendship for him, 627; and Cassius flee to the Capitol after the assassination of Caesar, 630; masters of all the countries east of the Adriatic, 639; Brutus throws himself on his sword, 641  
 Burrus, guardian of Nero, 698  
 Busta-Gallica, 224

## C.

Caecilius Statius, 569  
 Caelus Vibenna, the most celebrated hero of the Etruscans, 29  
 Caesar, C. Julius, nephew of Marius, 596; restores the statue of Marius in the Capitol, 597; could not endure a superior, nor Pompey an equal, 598; his character and talents, ib.; criminal conduct in his Gallic wars, 599; carries popular laws in his consulship, 599; his campaigns in Gaul, 603; war with the Helvetians, 604; a candidate for a second consulship, 610; commanded by the senate to give up his army to his successor, 611; crosses the Rubicon, 612; attacks Pompey at Brundisium, 613; returning to Rome, acts as absolute master, ib.; marches through Southern Gaul into Spain, ib.; created dictator, 614; peculiarity of his tactics, 615; narrow escape in Egypt, 619; insurrection of his troops, 620; triumph over Gaul, Pharnaces, Egypt, and King Juba, 623; over Spain, ib.; his enormous activity, 624; founds colonies of veterans, 625; obtains the title of Imperator and the dictatorship for ten years, ib.; rejects Antony's offer of the diadem, 626; his assassination, 629; the most absurd act ever committed, 629; flight of the assassins to Antium, 631; his will, 631  
 Calendar, reformed by Julius Caesar, 624  
 Cales, colony of, 263  
 Caligula, C. Caesar surnamed, son of Germanicus, 691; infamy of his nature, ib.; Rome a complete military despotism under, 692; orders himself to be worshipped as a god, 693; murdered, ib.  
 Calpurnius Piso, L., the first author of forgeries in Roman history, 24  
 Calvus, C. Licinius, 659  
 Camerinum, Roman legion cut to pieces by the Gauls at, 302  
 Camillus, deliverance of the city by, 136; appointed dictator, 209; enters Veii, 213; accused of appropriating plunder, ib.; exiled, ib.; called a Second Romulus, 225; resists the wish of the Romans to settle at

- Veii, 226; dictator at the age of 80, 235
- Camillus, L. Furius (nephew of the preceding), defeats the Gauls, 241
- Campaign, general length of a, 158
- Campania, limits of the ancient, 246
- Campanian legion at Rhegium, 327
- Cannae, battle of, 371; description of the battle, 394; scene of it, 395; figure representing the battle array of the Carthaginians and Romans, 395; refusal of the Romans to ransom those taken prisoners at, 400
- Cantabri, tribes of the, 579; war against, 674
- Canuleian law, 194
- Capital, influence of, 449
- Capua, extent of its rule, 246; apostasy of, 398; taken by Hannibal, ib.; sacked by the Romans, 406; its senators put to death, ib.
- Caracalla murders his brother Geta, 742; orders the massacre of the people of Alexandria, 744; murdered, 745
- Carausius insurrection in Britain, 769
- Carinus and Numerianus, sons of Carus, 766
- Carmental gate, its right Janus ominous, 159
- Carnot's tactics, 341
- Carthage, early treaty between Rome and, 122; the treaty renewed several times, 327; building of, 333; its history, 334; constitution, 335; senate, 336; military system, 337; Roman determination to destroy it, 471; extravagant demands of the Romans, 472; siege of, 473; topography, 476; conflagration of, 478; a plough drawn over its site, 479. (*See* Punic Wars.)
- in Megara (the Roman), 477
- Carthaginians, first misunderstanding between the Romans and, 328; cross into Sicily, 334; their possessions in Sicily at the beginning of the first Punic war, 335; their empire in Africa, ib.; Carthaginian historical names *praenomina*, 339; the Romans' unreasonable terms of peace resisted by, 345; rebellion of their mercenaries, 359; the Carthaginians in Spain, 375; the Roman ambassador asks them to choose peace or war, 377; conditions of peace after the battle of Zama, 419; driven out of Spain, 421. (*See* Punic Wars.)
- Cassius, C., and Brutus, praetors, 628; his personal hatred to Caesar, ib.
- Hemina, L., 22
- Sp., treaty of, 135; the most distinguished man of his times, 151; the first who proposed an agrarian law, 155; his execution by his father, 155; question of his guilt, 156
- Catiline, 585; his character, 586; his attempt on the life of Cicero, 591; debate on the punishment of the conspirators, 592; the execution of the conspirators a misfortune for the republic, ib.; bravery of himself and his troops, 593
- Cato's *Origines*, 21; his name of Priscus, 448; great powers and singular genius, ib.; cunning stratagem, 455; perpetual advice to destroy Carthage, 471
- M., takes the command at Utica, 620; holds out alone against Caesar, 621; his stoicism, 621; suicide, 622
- Catullus' superiority to Virgil, 663
- Catulus, C. Lutatius, sent against the Cimbri, 532; leader of the aristocracy, 571
- Caudium, Romans defeated at, 281
- Celeres and Equites, 124
- Celtiberians, peace concluded by Marcellus with, 487
- Celts, migrations of, 215
- Censors, functions of, 197; elected for a *lustrum*, 199; their powers, ib.
- Censorship instituted, 195
- Census, the, explained, 114
- *senatorius*, 580
- Centuries and tribes, 92; centuries doubled, ib.
- Chalons, battle of, 794
- Christian literature, classical age of, 787
- Christianity persecuted by the emperor Decius, 755
- Chronology, absurdity of old-fashioned, 333
- Cicero, M. Tullius, at the time of Sulla's death, 571; account of his family, 587; his early youth, ib.; education and acquirements, 588; poetry, ib.; friendship with Atticus, 589; great reputation from his defences, 590; defence of M. Aemilius Scaurus, ib.; of P. Vatinius, ib.; consulship, 587, 591; defeats Catiline's conspiracy, 593; Pompey's coldness to him, 594; withdraws from Rome to save his life, 601; recalled from exile, ib.; accepts the proconsulship of Cilicia, 602; friendship for Octavian (Augustus), 632; intellectual ability, 633; estimation of his powers, 638; Middleton's life of, commended, 638; error of Cicero respecting a historian, 18; not qualified to write a Roman history, 28; MSS. of his *De Oratore* and *Brutus*, 23
- Cimbri, the, not from Jütland, but from the East, 217; their first appearance, 520; account of them, 528; in Italy, 533; those who came across the Alps extirpated, 534
- and Teutones advance towards Italy, 528; annihilate two Roman armies, 529
- Ciminian forest, the, 213, 290
- Cincinnatus, legend of, 170; dictatorship, ib.; undeservedly deified by posterity, 171
- Cincius Alimentus, L., 19
- Cineas, friend of Pyrrhus, 318; sent to Rome, 320; his celebrated negotiation, 321
- Cinna, L. Cornelius, consulship of, 354; head of the Marian party, 556; restored as consul after having been declared a rebel, 557; Italy in his hands for three years, 559; slain by his soldiers, ib.
- Cisalpine Gauls, 362; war with them, 364
- Civic institutions, Roman, 101
- Classibus certare*, mistake of Livy in explaining, 113
- Claudia, aqua*, 695
- Claudian, a truly poetical genius, 786
- race, a criminal character hereditary with the, 353
- Claudius, Appius, 142; decimates the Roman army, 165; his suicide, ib. (*See* Appius.)
- the Emperor, brother of Germanicus, 63, 693; his learning and his deficiency in judgment, 693; his character, 694; the first emperor who gave donations to the praetorians, ib.; his expedition against Britain, 695; his favourites, Pallas and Narcissus, ib.; poisoned by his wife Agrippina, 696
- Civilis, revolt of, 708
- Gothicus, 762
- P., the consul, defeated, 352; expression of his sister, a vestal virgin, 353
- Quadrigarius, 2, 25

- Clavius*, driving in the, 145  
*Cleonymus*, prince of Sparta, invited by the Tarentines, 292; his wanderings, 293  
*Cleopatra* marries her brother, 618; is banished from Egypt, ib.; restored by Caesar, 619; disasters from her connection with Antony, 642; her flight with the Egyptian ships from Actium, 649; suicide, 651  
*Clientes*, the, 105; derivation of the word, 108  
*Cloaca Maxima*, 91; its durability, 118  
*Clodius Albinus* in Britain, 739; the Emperor Severus declares war against, 741; his defeat and death, 741  
 ———, P., his rendezvous with Caesar's wife, 595; enmity to Cicero, 596; his tribuneship the beginning of the civil wars, ib.; accuses Cicero of putting citizens to death without trial, 600  
*Cloelia*, story of, 132  
*Clusium*, the Gauls arrive at, 364  
*Coelius Antipater*, historian of the second Punic war, 370  
*Coloniae Romanae*, 204  
 Colonies, twofold manner of founding, the means of Roman extension, 261  
 Colonisation, ancient, 243  
 Colonists, Roman, 152  
*Commentarii pontificum*, 8  
*Commercium* explained, 109  
*Commodus*, son of Aurelius, 736; accession of, 737  
 Commonalty, the Roman, 106; oppressed by usury, 227  
 Concord, Camillus vows to build a temple of, 235  
*Connubium* between patricians and plebeians, abolition of the law forbidding, 193  
 Constantine (the Great) proclaimed Augustus, 771; war with Maxentius, 772; defeats him at Ponte Mollo, ib.; conquers Licinius and puts him to death, ib.; orders his son Crispus to be put to death, 774; founds a new Rome at Constantinople, 775; divides the empire among his sons, Constantine, Constantius, and Constans, 775; his character, 774  
 Constantius (father of the preceding) and Galerius, emperors, 770; Constantius dies at York, 771  
 ——— (son of Constantine the Great), sole emperor, 776  
 Constitution of Rome, enjoyed a perpetually renewed vitality, 117  
 Consuls, their election by the centuries, 157; one a patrician the other a plebeian, 235; both plebeians, 494  
 Consulship, characteristic feature of the, 127  
 Corbulo's war against the Parthians, 700  
 Corfinium, Italian government at, in the Social War, 546  
 Corinth destroyed by Mummius, 485  
*Coriolanus*, C. Marcius, history of, 148, 173; its date, 149; his story a poem, 166; its circumstances apocryphal, 174; embassy to him, ib.; saying in his old age, 175; mixture of truth in the tradition respecting him, ib.  
 Corn, gift to the Romans of, from the Greek King of Syracuse, 173  
*Cornelius Dolabella*, P., invades the deserted country of the Senones, and massacres those left at home, 313  
 ——— Gallus, 666  
 ——— Severus, superior to Lucan, 668  
*Correctores* instituted by Severus, 743  
 Corruption of the Romans, 446  
 Corsica and Sardinia given up by the Carthaginians to Rome, 360  
*Cossus*, A. Corn., obtains the *spolia opima*, 205  
*Crassus*, M. Licinius, conquers Spartacus near Petilia, 577; defeated with the loss of his legions by the Parthians, 647  
 ——— P. Licinius, 519  
*Crimen majestatis* under Tiberius, prosecutions for, 689  
 Crimes recorded in Roman History, 465  
 Cruelty towards a revolted people, examples of Roman, 257; cruelty sometimes a necessity of war, 372  
 Crustumeria, conquest of, 133  
 Culture (intellectual) of the Romans before they adopted the civilisation of the Greeks, 14  
 Cuma, history of, 97  
*Curiae*, 103  
 Curio, C. Scribonius, gained over by Caesar's paying his debts, 609  
 Curius, M., his character and public works, 307  
 Current of a river, mode of checking, in the passage of an army, 533  
 Curtius, legend of, 24  
 Curule aediles, 296  
 Customs of modern Rome traced to ancient institutions, 654  
*Cymri* or Belgae, 216  
*Cynoscephalae*, battle of, 429
- D
- DALMATIAN* revolt, 677  
*Damaratus*, story of, 88  
*D'Anville's* and *Reichard's* maps, 57  
 Debt, law of, 138; its general law in different countries, 140; bondage for, 141  
 Debtors, different classes of, 141  
*Deccebalus*, ruler of the Dacians, 717  
 Decemviral legislation, intention of, 181  
 Decemvirate intended as a permanent magistracy, 183  
 Decemvirs, the first all patricians, the second patricians and plebeians, 179; their task, 180; legislation, 183; tyranny, 184; overthrown, 185; their fate, 189  
*Decius*, Mus P., heroic conduct of, 248; orders himself to be devoted to death by the pontiff, 256  
 ———, his resolution to devote himself to the infernal gods in case of need, 393  
 ———, the Emperor's, persecution of the Christians, 754  
 ——— Magius, story of, 398  
*Delatores*, class of, 714  
*Demetrius Pharius* incites the Illyrians to revolt, 367  
*Dexippus* surprises the Gothic fleet in Piraeus, 759  
*Diaeus*, strategus of the Achaeans, 485  
 Dictatorship, first, 136; abolished for ever, 632  
*Didius Salvius Julianus* purchases the empire from the praetorians, 738  
*Dioclesianus*, C. Valerius, emperor, 766; his character, 768; separates the Eastern from the Western empire, 769; resignation of Diocletian and Maximian, 770  
*Diodorus Siculus*, 29; an interpolated author, 30  
*Dion Cassius' Roman history*, 46; his view of human life bitter but sound, 47; discovery of fragments of his work at Venice, 49  
 ——— Chrysostom, 723  
*Dionysius of Halicarnassus*, excellence of his rhetorical works, 30; his history to the first Punic war, 31;

editions of, 31; great value of his *Archæologia*, 33; his mistakes, 34; bad taste of his speeches in imitation of Thucydides, *ib.*; inferior to Livy, *ib.*  
 Dioscuri, the, in the battle of Lake Regillus, 134  
 Disguised names in Horace and other poets, 666  
 Domitian, the younger son of Vespasian, 706; emperor, 712; wars under, 713; his surname of Germanicus, *ib.*; cruelty and death, 714  
 Domitius Ahenobarbus, Cn., his law, 539  
 —, saying on the birth of his son Nero, 698  
 Donatus, the father of Latin grammar, 785  
 Drusus, M. Livius, tribuneship of, 541; his laws, 542; L. Marcus Philippus the consul's hostility to him, 543; assassinated, 543  
 Duilius naval victory, 342  
*Δυναστία* and *τυραννίς* distinguished, 183  
 Duumviri and triumviri, 104  
 Dyrrachium, Caesar besieges Pompey at, 615

## E.

EARTHQUAKE during the battle of Lake Trasimenus, 389  
 Eclipses calculated backwards, 6  
 Ecnomus, Roman naval victory near, 343  
*Edictum perpetuum*, an era in Roman jurisprudence, 725  
 Egnatius Rufus, tumult of, 653  
 Elagabalus or Bassianus, emperor, 745; his name branded in history above all others, 746  
 Elephants, use of, by the Carthaginians, 346; African and Indian compared, 441  
 Eleusinian mysteries, access to them granted to the Romans, 362  
 Elis, its constitutional history a counterpart of that of Rome, 183  
*ἑμβολον*, a Roman naval manoeuvre, 343  
 Ennius, Q., fragments of, 20; his authorities, *ib.*; editions of, 21; his poetry, 452; influence of his Greek education, 453  
 Epic poetry, 662  
 Epictetus, 731  
 Epidaurus, embassy to, 306  
 Equites, their property qualification, 113; their pursuits, 386; three hundred equites the only judges, 513

Etruscan *saecula*, physical and astronomical, 62; inscriptions, 90; language, 93; conquests, 95; investigations respecting them, 94; originally a northern tribe, 95; their history, 96; a priestly people, 99; their literature mostly assigned to too early a period, 120  
 — and Latin fortification different, 95  
 Etruscans declare war against the Romans, 287; distinguishing feature in their wars, 290  
 Eudoxia, the empress, invites Genseric to take possession of Rome, 795  
 Eumenes, extent of his kingdom, 443; visits Rome, 459; domed to assassinate him on his return, *ib.*  
 Eutropius, 45

## F.

FABIAN family, its early history, 12; foundation of its greatness, 156; emigration of the Fabii, 158; their destruction, 159  
 Fabius Ambustus, M., and his daughters, 231  
 — Kaeso, 158  
 Fabius Maximus, Q., character of, 278; invades Etruria, 291; his generalship, 303; Ennius' verse on him, 373; envious of Scipio, 374; made dictator, 391; deceived by a stratagem of Hannibal, 392  
 Fabius Pictor, C., the painter, 12  
 —, Q., the historian, 12; his work, 16; the father of Roman history, 17  
 —, S., 23  
 Faithfulness not a characteristic of barbarians, 407  
 Faliscans, their town destroyed, 359  
 Famine at Rome, 199  
*Fasti Capitolini*, 7  
 Fausta, wife of Constantine, 775  
 Faustina, wife of M. Aurelius, 736  
*Feriae Augustae*, 651  
 — *Latinae*, 117; on the Alban mount, 123  
 Fetiales, their procedure on declaring war, 84  
 Fine arts at Rome, age of, 285  
 Flamininus, L. Quintius, cruel act of, 447  
 —, T. Quintius, conducts the Macedonian war, 427; familiar with Greek literature, *ib.*; defeats the Macedonians, 428  
 Flaminius, C., his law for the

division of Gallic territory, 363; consulship of, 386  
*Flavianum*, *jus*, 298  
 Flavius, Cn., a benefactor of the people, 297  
 Fleet, the Roman, 286  
 Florence, origin of, 564  
 Florianus, M. Annius, emperor, 765  
 Florus' Roman history, 44  
*Formulae actionum*, 298  
 Franks, question as to who they were, 757  
 Fregellae, colony of, 263; importance of its situation, 269; destroyed, 509  
 Freinsheim's supplements to Livy, 52  
 Fronto, Cornelius, the instructor of the Emperor Aurelius, 727  
 Fulvia, wife of Antony, 643

## G.

GABII captured by stratagem, 123  
 Gaesatae, the word explained, 366  
 Galatians or Gallo-Graeci, campaign against, 442; their three tribes, *ib.*; preserved their Celtic language for a long period, 443  
 Galba, Servius Sulpicius, proclaimed emperor, 701; his treatment of the praetorians, 702  
 Galerius, emperor, 771  
 Gallic invasions, 241  
 — empire, the, 761  
 Gallienus, the emperor, son of Valerian, 760  
 Gallus Trebonianus, emperor, 758  
 Gaul under the Romans, 707  
 Gauls, their first historical appearance, at Clusium, 218; their personal similarity to the modern Gael, 219; march from Clusium towards Rome, *ib.*; the Romans determine to defend the Capitol, 221; slaughter of aged patricians, 222; pestilence among the Gauls, 223; the Romans resolve to rebuild Rome instead of removing to Veii, 226; the Gauls' mode of fighting, 365; consequences of the taking of Rome by the Gauls, 126  
 — and Cymri, 216  
 Gaurus, battle of Mount, 248  
 Gellius, A., 727  
 —, Cn., 23  
 —, Egnatius, the Samnite general, 304  
 Gelo, son of Hiero, 403  
 Geminus Metius and the son of the consul Manlius, single combat between, 254



Genabum, massacre of the Romans at, 607  
 General, a, an artist in the highest sense of the word, 303  
 Gens, nature of a Roman, 101; the gentes corporations without consanguinity, 102; peculiarity of the institution, 103  
*Gens Romulique Ancique*, explained, 108  
 Genseric and the Vandals in Africa, 793  
 Genucius, Cn., murder of, 161  
 Germanicus' wars in Germany, 687; the darling of the Roman people, *ib.*; question of his having been poisoned, 688  
 Geta and Caracalla, 742  
 Gibbon's work, character of, 763  
 Glareanus, 51  
 Glaucia, C. Servilius, 536; his insurrection quelled by Marius, 531  
 Glycerius proclaimed emperor, 797  
 Gomphi taken by Caesar, 616  
 Gordian I. and II., father and son, proclaimed Augustus and Caesar, 751  
 Gordian III., 753  
 Goths, invasion of the, 758; their three tribes, the Ostrogoths, Visigoths, and Gepidae, 762; admitted into the Roman empire, 782  
 Gracchi, family of the, 27, 455, 496; their laws did not attack private property, 496  
 Gracchus, Tib. Sempronius, son-in-law of Scipio, and father of Tiberius and C. Gracchus, 455  
 ——— intercedes with the Numantines to liberate the Roman army, 491; called by Cicero *sanctissimus homo*, 500; his legislation, 501; conspiracy against him, 502; declared by the senate guilty of high treason, 505; murdered, 506  
 ———, C. Sempronius, tribuneship of, 508; accomplishments, 509; his legislation, 510; builds corn magazines, 511; his reforms, 512; employment of the poor on public works, 512; the *lex Sempronia judiciaria*, 513; his law regulating the province of Asia, 514; proposal to extend the franchise, *ib.*; colonies founded by him, 515; rejected from the tribuneship, 516; murdered, 518; barbarity of Septimuleius, filling Gracchus's head with lead, *ib.*;

Gracchus's prose composition distinguished for its *numerus*, 570  
 Gratian, the emperor, 792  
 Greece, Roman embassy to, for the purpose of amending the laws, 178; other Roman embassies to, 361; its condition during the Macedonian war, 426; made a Roman province, 486  
 Greek hatred of the Romans, 460  
 ———— myths, Roman knowledge of, 450  
 Greeks, the Romans real benefactors of the, 361; freedom granted to them under Flamininus, 432  
 Gronovius's masterly constitution of the text of Livy, 43  
 Guilds, Roman, 107

## H.

HADRIAN'S reign one of the happiest periods of the empire, 724; bulwark from the Solway to the Tyne, 725; downward tendency of literature under, 726; architectural works, 729; enormous ruins of Hadrian's villa, *ib.*  
 Hamilcar Barca, as great as his son Hannibal, 354; anecdote showing his character, 355; his measures after the first Punic war, 367  
 Hannibal's greatness as a general, 369; his vow, 371; character, 372; establishes a Carthaginian empire in Spain, 375; crosses the Pyrenees, 378; tardiness of the Romans in resisting his progress, *ib.*; his rapid march, 379; difficulties in effecting a passage across the Rhone, 379; march across the Alps, 380; his route that of the Little St. Bernard, *ib.*; sufferings of his army, 381; reaches the top of the Little St. Bernard, 381; his method of cutting off the retreat of the enemy, 384; penetrates into Etruria, 387; loses the use of one eye in his passage through the marshes, 388; proclaims himself as the deliverer of Italy from the Romans, 390; his aversion to sieges, *ib.*; why he did not march directly towards Rome, *ib.*; at Capua, cut off from the sea, 399; respected Fabius as his tutor, Marcellus as his rival, 401; at the gates of Rome, 402; lands in Africa, 418; appointed *syf-*

*fetes* at Carthage, 435; his financial reforms, *ib.*; demanded by the Romans as a conspirator, *ib.*; takes refuge with Antiochus of Syria, *ib.*; conversation with Scipio, 436; commands the fleet of Antiochus, 439; escapes when Antiochus is called on by the Romans to give him up, 449; demanded from Prusias of Bithynia, *ib.*; puts an end to his life by poison, *ib.*  
 Hasdrubal, assassinated, 371  
 ———, brother of Hannibal, his expedition to Italy, 409; defeat and death, 411  
 ——— spared by Scipio at the destruction of Carthage, while his wife threw herself and her children into the flames, 478  
 Helvetians, emigration of the, 604; war against, *ib.*  
 Helvidius Priscus, put to death under Vespasian, 709  
 Heraclea, battle of, 319  
 Herculaneum and Pompeii, catastrophe of, 711  
 Herennius Pontius, advice of, 281  
 Hermanric the Goth, 782  
 Hermodorus the Ephesian, consulted by the decemvirs, 178  
 Hernicans, derivation of the name, 150; treaty with, *ib.*; conquered, 289  
 Heroic age of Rome, 8  
 Hiero, king of Syracuse, 330  
 Hieronymus, tyrant of Syracuse, 403  
 Hilarius, pope, the greatest Christian poet, 787  
 Himilco Phamaeas, 473  
 History no longer treated sceptically, but critically, 55; early history to be restored by combination, comparison, and analogy, 56; requisites for the study of, *ib.*  
 Horace contrasted with Virgil, 522; his origin, 663; independence towards Maecenas and Augustus, 664; the odes, *ib.*; disguised names in, 664  
 Horatii and Curatii, three verses of the lay of, 11; question as to which of them were Romans, 85  
 Horatius Cocles, 130  
 Hortensian law, 162, 191, 309  
 Hortensius, Q., a rival of Cicero, 571  
 Hostilianus, colleague of Gallus in the empire, 758  
 Humbert's researches respecting Carthage, 476  
 Huns, origin of the, 782  
 Hybridæ, Spanish, 574

Hyrchanus and Aristobulus, princes of the Jews, 585

## I.

ILLYRIAN war, 367

Imperator, a praenomen with the Roman monarchs, 652

*Ingenuus* defined, 294

Insubrians and Boians, war against, 433

*Intercessio*, tribunician, 502

Interreges, 233

Ionia, Lydia, and Caria, an earthly paradise, 560

Isolation of subjugated places, Roman policy of, 260

*ισονομία* explained, 168

*ισοπολιτία*, 135

Isopolites of ancient times, 259

Itali or Siculi, etymology of, 68

Italicans, their revolt after the battle of Cannae, 397; demand the Roman franchise, 540

Italy, Rome's subjugation of, the most desirable thing for, 256

## J.

JANUS Bifrons, the symbol of a double state, the union of the Romans and Sabines, 82; opening and closing the gate of, 118

Jerome's (St.) writings, 786

Jerusalem taken by Pompey, 585

Jewish constitution, 104; war, 704

Jews, their heroic resistance to Vespasian, 705; insurrection in Cyprus and Cyrene, 724

John, the emperor, 792

Josephus, the historian, 704; the Pharisaic element in him, ib.

Jovian's edict granting liberty of conscience, 781

Juba defeated by C. Curio, 614

*Judices*, analogous to our jury, 541

Jugurtha, war against, 520; character of, 521; his treachery at Cirta, 522; Bestia's treaty with, 523; at Rome, 525

Julia, Caesar's daughter, married to Pompey, 603

—, daughter of Augustus, married to M. Marcellus, 670; afterwards, to Agrippa, ib.; her disgraceful conduct, 672; after Agrippa's death married to Tiberius, 672; sent into exile, 685

— Domna, wife of Severus, 742

*Julia, lex*, for conferring the franchise on the Italians, 546

Julian (called the Apostate), saved with his brother Gallus, 776; a thorough Greek, 777; his brilliant victories, ib.; proclaimed emperor, ib.; his character, 778; attempt to restore the pagan religion, ib.; his "Misopogon," 779; war with Sapor, 780; plan of operations against the Persians, ib.

Junius Brutus, L., family of, 125

—, Gracchanus C., the historian of the Roman constitution, 27

Jurisprudence, Roman, its development as a science under Hadrian, 725; golden age of, 730

*Jus publicum*, the most important part of the decemviral legislation, 182

## K.

KINGS of Rome, impossibilities relating to their history, 61

## L.

LABIENUS, T., commands an army of Parthians, 646

Laelius, C., friend of Scipio, 440

Landed proprietors, decrease of, 498

Lar, the Etrurian praenomen, signifying king or god, 129

Lars Tolumnius, king of Veii, slain by A. Corn. Cossus, 205

Latin towns, thirty, 75; decay of, 261

— confederacy, new, 239

Latins, their relation to the Romans, 176; constitution, 253; proposal of an alliance between them and Rome, ib.; incorporated with the Romans, 259

Latium and the Latins, extent of the names, 71

—, new, 240

Lautulae, battle near, 250; the Romans defeated at the pass of, 284

Law of nations, Italian, 288

Laws recorded in the form of single cases, 13

—, ancient, traced to Romulus, Numa, Tullus, and Ancus, 168

Lays, or poetical tales, a source of Roman history, 8, 62; their character, 11; sung at repasts in ancient Rome, 64

*Legati Augusti*, 655

Legends, metrical, 9

Legion, constitution of the Roman, 255

Lepidus, M., head of the democratic party, 571; deposed from the triumvirate, 648

*Lex Julia et Papia Poppaea*, 682, 697

Libertini, four tribes of the, 298

Licinian laws, 232; law against the accumulation of large properties in land, 499

Licinii, the, foremost among the plebeian families, 234

Licinius, C., and L. Sextius, the tribunes, 231

— Macer, 26

— Mucianus, 705

Ligurian war, 454

Lilybaeum, Punic meaning of the word, 350; siege of, 323, 350

Literature, Roman, 450, 569; in the time of Cicero, 659

Livia Drusilla, wife of Augustus, her fearful character, 669; unlimited power over Augustus, ib.; hatred to Drusus and Germanicus, 680; her death, 689

Livius Andronicus, 451

— Drusus, M., colleague of C. Gracchus, undermines his popularity, 515

Livy, gives an erroneous idea of early Roman history, 3; when he wrote, 34; his work unequal, 36; beauties of his narratives, ib.; repetitions and tautologies, ib.; inferiority of his preface, 37; talents and deficiencies, 38; false notions, ib.; his *Pata-vinitas*, 39; amiable character and kindness, 40; compared with Herodotus, ib.; the *Stator* of the history of Rome, ib.; his commentators — Laurentius Valla, Gronovius, Drakenborch, Duker, 43; the Epitome of Livy the work, not of Florus, but of a copyist, 44; Eutropius and Orosius follow Livy everywhere, 45; study of Livy recommended, 239; value of his [lost] eleventh book, 308; his life, 668

Lixae and Calones, 113

Longinus, his execution a stain on the purple of Aurelian, 763

Lucan, the poet, 697

Lucanians, Roman alliance with, 276

Luceria, siege of, 280

Lucian, 728

Lucilius, C., his hexameters, 570

Lucretia, rape of, by Sextus Tarquinius, 123  
 Lucullus conducts an army against Mithridates, 581; takes Tigranocerta, 582; mutiny in his army, 583  
 Lucumo, Etruscan traditions respecting a, 90; an appellation of Tarquinius Priscus, 90  
 Lusitanians, war against the, 487

## M

MACEDONIAN war, cruelties of the Romans after the, 464; the second, 425  
 Macrinus, M. Opilius, emperor, 745  
 Macro, the instrument of Tiberius's tyranny, 691  
 Maecenas, Cilnius, mediates a peace between Octavian and Antony, 644; friend of Augustus, 670; an Epicurean in the worst sense of the word, 671  
 Maelius, Sp., accused of aiming at supreme power, 200; summoned by the Dictator, ib.; slain by Servilius Ahala, ib.  
 Maenian law, 308  
 Maenius, C., conqueror of the Latin people, 258  
 Magna Graecia, its influence on the Romans, 264  
 Magnusius, revolt of, 776  
 Magnesia, battle of, 441  
 Mago takes Genoa, 418  
 Maharbal's reproach to Hannibal for not following up the victory of Cannae, 397  
 Majorian made emperor by Ricimer, 796  
 Mamaea, mother of Alexander Severus, 747  
 Mamertines invite the assistance of the Romans against the Carthaginians in Sicily, 331  
 Mancinus, C. Hostilius, delivered up to the Numanines and sent back by them, 491  
 Manetho, dynasty of, 9  
 Manlius, M., roused by the screaming of geese, 223; called Capitolinus, not from saving the Capitol, but from living there, ib.; his immense popularity, 230; condemned and thrown down the Tarpeian rock, 231  
 ———, the consul, orders his heroic son to be put to death to enforce obedience, 254  
 Manutius's commentary on Cicero's letters, 162  
 Marcellus, M. Claudius, slays

Viridomarus, leader of the Gauls, 366  
 Marcellus, nephew of Augustus, marries Augustus's daughter, Julia, 670; his death, 671  
 Marcus Rutilus, C., the first plebeian censor and dictator, 242  
 Marcomannian war, 734  
 Maritime law, first traces of, 360  
 Marius, C., descent of, 525; appointed legate by Metellus in Numidia, 526; Metellus attempts to restrain his ambition, ib.; elected consul, ib.; his great talents as a general, 527; the province of Numidia assigned to him, ib.; terminates the Jugurthine war, ib.; originator of a great change in Roman tactics, 530; severe discipline of his army, 531; enters the senate in his triumphal robe, 534; his flight, 554; dwells amid the ruins of Carthage, ib.; returns to Etruria, 556; Marius and Cinna enter Rome, 557; his seventh consulship, 558; prophecy of it made in his childhood, ib.; his victims, ib.  
 ———, the younger, defeated by Sulla, 562  
 Maroboduus, kingdom of, 676  
 Marseilles, siege of, 613  
 Marsian war, 551  
 Martha, Marius's Syrian prophetess, 558  
 Masinissa, king of the Massylians, 415; his fidelity towards the Romans interested, 416; his character, 416; a base traitor against the Carthaginians, ib.; his audacious claims upon Carthage, 470; war with the Carthaginians, ib.; treachery towards the Romans, 474  
 Massiva murdered by Jugurtha, 524  
 Mastarna, 120  
 Maxentius, son of Maximian, 771  
 Maximian, colleague of Diocletian in the empire, 768; after abdication resumes his dignity as Augustus, 771; put to death by Constantine, 772  
 Maximinus, the emperor, 750; his gigantic stature and Herculean strength, ib.; murdered, ib.; his wars, 751  
 Maximus, the emperor, 784  
 ——— and Balbinus, emperors, 752  
 Melpum destroyed by the Gauls, 214  
 Memmius, C., exposes cor-

ruption in conducting the Jugurthine war, 523  
 Mercenary troops (foreign) employed by the Tarentines, 266  
 Metellus's victory over the Carthaginians, 348  
 ——— Pius, Q., commands against Sertorius, 575  
 ———, Q. Caecilius Numidicus, his conduct of the Jugurthine war, 524, 525; his character, 537; goes into exile to Rhodes, 537; recalled, 538  
 Mezentius of Caere, 96  
 Micipsa, king of Numidia, 521  
 Middle ages, state of classical knowledge in the, 50  
 Middleton's life of Cicero, 54  
 Military affairs, laws respecting, 251  
 Milo left at Tarentum by Pyrrhus, 324; sells Tarentum to the Romans, 326  
 ——— charged with murdering Clodius, 602  
 Mithridates, war with, 551; submission of Greece to, 552; peace with, 560; the war renewed, 578; third war with, 581; overrated in history, ib.; ends his life by poison, 585  
*Moles Hadriani*, 729  
 Mons Sacer, secession to, 144; its result, 148  
 Montesquieu on the greatness and decline of the Romans, 53  
 Morality in Rome, state of, 447  
 Mucius, P., the tribune, sentences his nine colleagues to be burnt alive for high treason, 177  
 ——— Scaevola, 130  
 Mummius destroys Corinth, 485  
 Munda, battle of, terminates the civil war, 623  
 Muses, vision of them to Philemon, 361  
 Mutina, siege of, 635  
 Mylae, naval victory of C. Duilius off, 342  
 Myonnesus, battle of, 439

## N.

NABIS, tyrant of Lacedaemon, 426; alliance of the Romans with, 432; his death, 426  
*Naeniae and laudationes*, 65  
 Naevius's history of the first Punic war, 14; offends the Metelli by his verses, 15; his great historical poem, 451  
 Neapolis (Naples) conquered by Q. Publilius Philo, 273  
 Nero, the emperor, son of Agrippina, daughter of Ger-

manicus, 698; his accession, 698; murders his mother, 699; playing on the lyre during the conflagration of Rome, *ib.*; his restoration of the city, 700  
 Nero, Claudius Drusus, brother of Tiberius, 675  
*Nexi*, condition of the, 141  
*Nexum* or *nexus*, 140; its abolition, 299  
 Nibelungen, lay of the, 11  
 Nola, its political and financial importance, 285  
 Norcia, Val di, 573  
 Numa's death the conclusion of the first *saeculum*, 84; a Pythagorean, 281  
 Numantia, war against, 490; destroyed, 492  
 Numbers relating to Roman institutions, multiples of 3 or 10, 10; historical numbers resolvable into arithmetical proportions artificial arrangements, 10

## O.

OCTAVIAN (*see* Augustus), originally Octavius, C., his relationship to Caesar, 631; after the death of Caesar called C. Julius Caesar Octavianus, 632; an actor throughout his life, 633; suspected of causing the assassination of the consuls Hirtius and Pansa, 635; proclaimed Consul, 636; charge of cowardice against, 640; makes war on Sextus Pompeius, 647; on the death of Antony sole master of the Roman world, receives the name of Augustus, 651; manner in which he established the Roman monarchy, 652  
 Octavius, M., deposed from the tribuneship, 593  
 Odenathus defeats Sapor, 760  
 Odoacer receives the surrender of Romulus, the last emperor, 798  
 Opicans and Umbrians identical, 69  
 Opimius, the destroyer of Fregeſſae, 517; his enmity to C. Gracchus, *ib.*  
 Oppius, Sp., the decemvir, 184; his death, 189  
 Orators and poets, Roman, 660  
*Ὀρεπας Φιλίστου*, 543  
 Otho, M. Salvius, proclaimed emperor, 702; defeated at Bedriacum, 703; his suicide, *ib.*  
 Ovid, 667  
*Ovinia tribunicia, lex*, 198

## P.

PACUVIUS, 453  
 Pagan customs retained in modern times, 651  
*Pagi*, subdivision of tribes into, 111  
 Palaepolis, siege of, 272  
 ——— and Neapolis, sites of, 271  
 Pale-burghers, Roman class analogous to, 105  
 Palimpsest fragment of Livy, discovery of, 41  
 Palmyra, 760; empire of, 761; destroyed and the inhabitants massacred by Aurelian, 763  
 Pannonians, civilisation of the, 677  
 Panvinus' arrangement of the *Faſti*, a splendid work, 51  
 Papinian and Ulpian, their authority as jurists, 756  
 Papirius, written laws collected by, 4  
 ———, Carbo, 507  
 ———, Cursor, L., 277; his enormous bodily strength, 279  
 Papius Brutulus, heroic death of, 279  
 Parthians, war against the, 647; foundation of the Parthian empire, 467  
*Patres* used of the patricians, not of the senate, 137  
 Patricians and plebeians, the two corporations of the, 111; how the patricians were enabled to control the plebeians, 143; patrician tribunes, 188; cessation of the distinction between patricians and plebeians, 495  
 Patrons and clients, relation between, 158  
 Pay of the Roman soldiers, 207, 658  
*Pedia, lex*, 636  
 Pedro Albinovanus, 668  
 Pelasgians and Greeks, question of their identity, 67; race of the Pelasgians, 68  
 Perennis, minister of Commodus, murder of, 737  
 Perizonius, Q., his *Animadversiones Historicae*, 53  
 Perjury of the Romans, 283  
 Perperna, M., consul and censor, 540; conspires to murder Sertorius, 576  
 Perseus, King of Macedonia, his character, 457; his early popularity among the Greeks, 458; war with, 459; its cause, *ib.*; deceitful proposal of the Roman consul to, 460; his relations with Prusias and Antiochus, 461; alliances, *ib.*; surrender to the Romans, 463; captivity, 480; killed by

being perpetually disturbed in his sleep, *ib.*  
 Persians throw off the yoke of the Parthians, 748; Persian empire restored by Ardshir, 748  
*Persona*, origin of the term in legal phraseology, 139  
 Pertinax, M. Helvius, proclaimed emperor, 738  
 Perusia, siege of, by Octavian, 644  
 Pescennius Niger, war against, 740  
 Pestilence in Italy, the great, 167  
 Petronius, 736  
 ———, Maximus, emperor, 795  
 Pharnaces rebels against his father Mithridates, 584; delivers his father's body to Pompey, *ib.*  
 Pharsalus, battle of, 616  
 Philemon's vision of the Muses, 361  
 Philip III. of Macedon, his treaty with Hannibal, 421; style of the document, *ib.*; his extensive empire, 422; second war with, 425; conditions of peace, 431; alliance with the Romans, 437; death, 456  
 Philippus, M. Julius, an Arab, declared emperor, 753; celebrates the great secular festival of the thousandth year of Rome, 753; the first Christian emperor, 754  
 Philippi, war of, 639; first and second battles of, 640  
 Philology, periods of, 52; development of German, 54; Lessing and Winkelmänn, the fathers of modern, 54  
 Philotis, a Greek slave, imitates Judith, 229  
 Phthiriasis, a disease of tyrants, 568  
*Pietas* towards the dead, 355  
 Pighius's annals not authentic records, 52  
 Piracy, the cause of the Samnite war, 272  
 Piraeus destroyed by Sulla, 559  
 Pirates, Pompey's war against the, 583  
 Piso supposed to have poisoned Germanicus, 688  
 Phalanx, the Macedonian, 319  
 Placentia, siege of, 410  
 Placidia, mother of Valentinian III., rules over the West, 792  
 Plague in the reign of Aurelius, 733; ravages of the, 767  
 Plagues, influence of, 733  
 Plautus, one of the greatest poetical geniuses of anti-



quity, 451; his admirable language and skill, 452  
 Plebeian tribes, 109; consuls, 128; plebeians in the senate, 138; necessarily husbandmen, 197; characteristics of the order, 294  
 Plebes, the, 104; distinct from *populus*, 107; not the poorer classes only, 107  
 Plebiscita did not at first affect the whole of the state, 147; became binding upon all, 190; different stages of their import, 192; first instance of a plebiscitum becoming binding as a *lex* without the consent of the senate, 363  
 Pliny the younger, character of his writings, 722  
 Plotina, wife of Trajan, 716  
 Plutarch's biographies, 45, 723  
 Polybius the historian, an Achaean hostage, 465; Roman concessions favourable to Greece due to him, 486  
 Pomoerium of Romulus, the, 118  
 Pompeia, the wife of Caesar, at the festival of the Bona Dea, 595  
 Pompeius Strabo, Cn., father of Pompey the Great, 548; *homo diis invisus*, 555  
 Pompey, Cn. (the Great), joins Sulla, 562; his character, 575; made consul, 576; restores the power of the tribunes, 580; sent against Mithridates, 584; takes Jerusalem, 585; attacked by Caesar at Brundisium, 613; crosses over to Illyricum, ib.; his total defeat, 617; flight from Pharsalus, ib.; attempts to take refuge with Ptolemy Auletes, ib.; murdered, 618  
 —, Cneius and Sextus (sons of the preceding), raise an army in Spain, 622; defeated at Munda, where Cneius was killed, 623  
 —, Sextus, peace between the triumvirs and, 645; murdered by Titius, 648  
 Pontius', C., mild use of his victory over the Romans, 281; the generous enemy of the Romans executed by them, 305  
 —, Telesinus defeated by Sulla, 563  
 Pontus, kingdom of, 550  
 Popillius', M., embassy to Antiochus, 467  
 Populus, the word formed by reduplication from *populus*, 106; and plebs, 17, 108  
 Porcia, wife of Brutus, 629  
 Porsena's war with Rome,

129; surrender of Rome to, 131; his monument, 130  
*Possessio* and property, difference between, 154  
 Postumius', A., inflexible severity towards his son, 203  
 —, the consul, delivered up to the Caudines, 283  
 —, L., his embassy to Tarentum, 311  
 Postumus, master of the Gallic empire, comprehending Gaul, Spain, and Britain, 760  
*Praefectus urbi*, 106; appointed by Augustus, 656  
 Praeneste and other Etrurian towns, the inhabitants put to the sword by Sulla, 563  
 Praetors, the original appellation of the consuls, 126; etymology of the word, ib.; the title changed into that of consul, 186; *urbanus* and *peregrinus*, 235; the expression *praetor peregrinus* barbarous, 358  
 Praetorians, institution of the, 658; real sovereignty of the empire, 690; reorganised by Severus, 744  
 Priests, Roman colleges of, their numbers always multiples of 2 or of 3, 86  
*Principes, triarii, and hastati*, 530  
 Prisci Latini, not ancient Latins, but Prisci [et] Latini, 72  
 Prison at Rome, its darkness a forerunner of death, 189  
 Privernum, insurrection of, 269  
 Probus, M. Aurelius, emperor, 765  
 Propertius' poems, 667  
 Proscription, Sulla's, 564; of the triumvirate and death of Cicero, 637; plunder an object of the triumphal proscription, ib.  
 Province, Roman sense of the word, 357; division of Roman provinces under Augustus, 655  
 Prusias' contemptible conduct at Rome, 466  
 Pseudo-Philip, the, of Macedonia given up to the Romans by Demetrius, 479. (See Andrisceus.)  
 Publicani, the, 153; gradual formation of the class of, 449  
 Publicum, the separate treasury of the curies, 204  
 Publiian rogations, 162; law, 163; gave the tribunes the initiative, 164  
 Publius Philo, legislation of, 258; the first plebeian praetor, 262  
*Pulsatio*, use of the word applied to an ambassador, 483

Punic war, the first, divided into five periods, 338; the Romans cross over into Sicily, 332; their alliance with Hiero its commencement, ib.; terms imposed by the Romans at the conclusion of the, 356; the second, 369; six periods of it, 374; outbreak of the third, 469; two consular armies landed at Lilybaeum, 471; cross over to Africa, 472. (See Carthage.)  
*Punica fides*, 331  
 Pydna, Macedonians routed at, 463  
 Pyrrhus of Epirus, two branches of his family, 316; his talents and personal beauty, 317; marries Antigone, daughter of Berenice, ib.; his strategic skill, 317; expedition to Italy, 318; his elephants startle the Roman cavalry, 320; defeats the Romans at Heraclea, ib.; appears before Rome, 321; returns to Tarentum, ib.; permits his prisoners to go to Rome to celebrate the Saturnalia, 322; his passionate admiration of the Romans, ib.; offer of his physician to the consuls to poison him, 323; retires to Sicily, ib.; expels the Carthaginians from the island, ib.; returns to Italy and reorganises his army, 324; Roman mode of resisting his elephants, ib.; killed by a woman throwing a slate from a roof, 325

## Q.

QUAESTORS, different kinds of, 193; partly patrician and partly plebeian, 201  
 Quintilian, the restorer of pure taste in Roman literature, 697, 723  
 Quinctius, Caeso, accusation against, 169; his execution, 171  
 Quirites, origin of the word, 86

## R.

RADAGAIUS advances with the Suevi, 785  
 Ramnes and Tities, 83  
 Rasena, the name of the Etruscans, 93  
 Rea Silvia and her two sons, 77  
 Regillus, battle of Lake, poetical, 133; the battle described, 134; forms the close of the lay of the Tarquins, 135

- Regulus defeats the Carthaginians near Adis, 344; defeated, 346; his surrender, 347; embassy to Rome, 349; tortured, an act of retaliation for the torture of Carthaginian hostages by his family, *ib.*
- Remuria and Rome, 79
- Remus, the personification of the plebs, 86
- Revival of learning in Italy, 50
- Ricimer's power at Rome, 796
- Rhegium, siege of, 328
- Rhodian, war against the, 466
- Rollin's Roman history, 53
- Roma signifies strength, 76
- Roman citizens, principle of delivering them up to an allied nation offended by them, 160
- empire at the death of Augustus, extent of the, 681
- history, sources of, 2; its condition in the time of Cicero, 28
- Romans always greatest after a misfortune, 285; their degeneracy, 357
- Rome the common terminus of ancient and modern history, 59; its unparalleled development, *ib.*; permanent influence, *ib.*; impossibilities of its earliest history, 60; chronological absurdities, 61; its population becoming a populace, 499; destroyed by the Goths, 791; by Ricimer, 797
- Romulus, legend of, 76; his descent, *ib.*; dispute with Remus, 78; his death, 80
- , called Augustulus, proclaimed emperor by Orestes, 797
- S.
- SABELLUS identical with *Sabinus*, 202
- Sabine maidens, rape of the, 79; Sabine element in the worship of the Romans, 81
- Sabines, their early conquests, 81; and Latins, the two original elements of the Roman state, 96; wars with the, 202
- Sacraní or Casci, 72, 74
- Sacred Mount, secession to the, 186
- Sacriportus, battle of, 562
- Saecula*, twelve, of Rome's duration, 1
- Saguntum, siege of, 376; heroic resistance of the Saguntines, 377
- Sallust's objects in writing his Jugurtha and Catiline, 29; his works peculiar phenomena of Roman literature, 520; his histories, 572
- Samnites, war with the, 242; their four cantons or states, 244, 274; extent of their sway, 245; fundamental error of the Samnite constitution, 245; cause of the war, 246; brilliant victory over the, 249; the second war, 250; peace made with, 252; war breaks out, 27; division of the supreme command the cause of their overthrow, 274; characteristics of the war, 277; the Roman breach of faith with them the most detestable act in Roman history, 282; the third Samnite war, 300; their brilliant march into Etruria to join the Etrurians, 301; defeated by Sulla at the battle of the Colline gate, 563
- Samothrace, temple and mysteries of, 68
- Sapor, King of Persia, 759
- Sardinia, expedition against, 342; given up to the Romans by the Carthaginians, 360
- Σάρδισσα*, the Macedonian, 430
- Sarmatians, extent of their dominion, 773
- Saturnian verse, 64
- Saturninus, L. Apuleius, a man like Catiline, 535; his laws, 536; and Glaucia's tumult quelled, 538
- Scipio Barbatus, L., tomb of, 66
- P. and Cn., the *duo fulmina belli*, 407
- P. Corn., rescues his father, the consul, wounded at the Ticinus, 383; his pretension to prophetic powers, 408; takes New Carthage, 409; visit to Syphax, 413; elected consul before the prescribed age, *ib.*; Sicily given to him as a province instead of Africa, 414; sails to Africa, 415; conditions of peace proposed by, to the Carthaginians, 417; the first Roman who received the title of Great, *ib.*; tears to pieces the accounts of his brother, 444; accused of being bribed by Antiochus, *ib.*; withdraws into voluntary exile to Liternum, 445; his death, 449; his character, 372
- the younger, not to be compared with the elder, 475; his cruelty during the siege of Numantia, 492; sudden death, 508
- Nasica, P. Corn., his opposition to C. Gracchus, 501
- Scribae or notaries, 295
- Σεβαστός*, a title given to Augustus, 652
- Secession of the plebeians to the neighbourhood of Alba, 250
- Sejanus, Aelius, friend of Tiberius, 690; his fall, 691; the *verbosa et grandis epistola*, *ib.*
- Senate, the Roman, 83; consisted of 300 members, 198; plebeian senators, 201; an assembly elected for life directly by the people, 358; under Augustus, 654; number of senators, 567
- Seneca, 698; his influence on Nero, 696; an accomplice in Nero's murder of his mother, 699; ordered by Nero to be executed, *ib.*
- Senonian Gauls, invasion of, 238; war with, 313
- Sentinum, battle of, 304
- Sertorius, Q., character of, 556; war of, 572; wins the affections of the Spaniards, 573; his success against Pompey, 575; murdered at a feast, 576
- Servile war breaks out in Sicily, 492
- Servius Tullius, important in three respects, 100; his constitution of the centuries based upon property, 115; gives a preponderance of votes to the first class, *ib.*; his laws, 116; Etruscan tradition respecting him, 119; murder of, 121
- Severus, Septimius, emperor, 739; his expedition to Britain with his sons Caracalla and Geta, 742
- Sextius and Licinius, the tribunes, 233
- , L., the first plebeian consul, 237
- Ships, different kinds of ancient, 340; of the Carthaginians and Romans contrasted, 341
- Sibylline books restored, 9
- Siccus, L., story of, 185
- Sicily, its state when visited by Pyrrhus, 323; physical structure of, 337; changed into a wilderness in the first Punic war, 357; constituted a Roman province, *ib.*
- Siculi and Aborigines identical, 70
- Sigonius, 51
- Silius Italicus, a paraphrase of Livy, 40
- Sisenna, a forerunner of Sallust, 569
- Slaves and gladiators incorporated into the Roman army after the battle of Cannae, 400

Social war, 544; names of the confederated Italian nations, 545; three regions of the scene of war, 547; called the *bellum Nolanum* and *bellum Marsicum*, 552  
 Sophonis, tragic fate of, 416  
 Spaniards, national character of the, 412, 489  
 Spartacus collects an army of gladiators and slaves, 576  
 Stilicho, master of the West, 788; the pillar of the empire, 790; murdered, ib.  
 Suabians, the, 757  
 Suetonius' biographies, 683  
 Suevi, migration of the, 605  
 Suffetes at Carthage, office of, 435  
 Sulla, L. Corn., derivation of his name, *Sulla*, 549; contrasted with Marius, ib.; elected consul, ib.; in the Italian war eclipses the fame of Marius, ib.; origin of his war with Marius, 550; returns to Rome in arms, 554; capture of Athens, 559; returns to Italy, landing at Brundisium, 561; political reforms, 565; defeats the Samnites at the Colline gate, 563; his first proscription, 564; establishes military colonies, ib.; fills up the senate with equites and his own centurions, 565; restores the *judicia* to the senate, 566; his body guard the Cornelians, 567; governs as dictator, 568; his abdication of the dictatorship not a bold step, ib.; dies of phthiriasis, 568  
 Syracuse, the greatest of all Greek cities after the decline of Athens, 405; blockade of, 404; cruelty of Marcellus to the inhabitants after its capture, 405

## T.

TACITUS, his *Historiae* and *Annales*, 683; Life of Agricola, 712; his conciseness, 721  
 —, M. Claudius, emperor, 764  
 Tanaquil, wife of Tarquinius Priscus, or Lucumo, 89  
 Tarentines, their employment of foreign armies, 216; attack and defeat the Roman fleet, 314; insult the ambassador Postumius sent for reparation, 315; their invitation to Pyrrhus; ib.; making war by subsidies, 322  
 Tarentum, wealth and power of, 265; its war with Lucania 267

Tarquinius Priscus, 88; his Greek descent, 89  
 — Superbus not a grandson of Tarquinius Priscus, 10; his reign, 122  
 Tatus, king of the Sabines, 80  
 Telamon, battle of, 365  
 Tenure of land in Italy, 498  
 Terence, 569  
 Terentia, wife of Cicero, 589  
*Terentilia, lex*, 168, 177  
 Terentius Varro, C., condemned by historians as causing the defeat of Cannae, 393  
 Terni, falls of, the most beautiful waterfall in the world, 307  
 Tertullian, 727  
 Teutones, the, Germans, 528  
 Theocritus put to death by Hiero, 330  
 Theodosius the Great, 783  
 — II., 792  
 Thessaly, campaign of Flamininus in, 429  
 Thirty Tyrants, period of the, 760  
 Tiberius, Claudius Nero, the emperor, married to Julia, daughter of Augustus, 672; declared successor of Augustus, ib.; withdrawal to Rhodes for seven years, 676; his early life, 683; extraordinary talents and industry, 684; beauty of his statues, ib.; his tribunician power gives him the command of the senate, 685; dissimulation with the senate after the death of Augustus, 686; the very pattern of a tyrant, 690; his death, 691  
 Tibullus, contemporary of Horace, 665  
 Ticius, battle on the, 383  
 Tin, its value to the ancients, 367; all used by them came from Britain, 606  
 Titus, the emperor, change in his character on his accession, 710  
 Trajan, accession of, 716; his Dacian wars, 717; war against the Parthians, 718; extent of his wars, ib.; architectural works, 719; column and forum of, 720  
 Transalpine Gaul, first campaign in, 519  
*Transitio ad plebem*, 125, 596  
 Trasimenus, battle of Lake, 389  
 Trebia, battle on the, 384  
 Tribes at Rome, number of, 92; their names derived from heroes, their *eponymes*, 110; patrician and plebeian, 188; their number increased, 228; their right of declaring war, 241  
 — and curiae, 103  
 Tribunes, military, 194; patrician, 188

Tribuneship, a peculiarly Roman idea, 147; its character, 160; restored, 187  
 —, military, 195  
*Tribuni plebis*, establishment of, 146  
*Tribuni celerum*, 125  
*Tribunus celerum*, the dignity highest after that of the king, 124  
 Triumvirate of Octavian, Antony, and Lepidus, 636  
*Triumviri capitales*, corresponding to the Attic *indika*, 311  
 — reipublicae constituendae, 237  
 Trojan immigration into Italy not authentic, 73  
 Troy, question of the existence of, 66  
 Tullus Hostilius, 84, 87  
 Turdetani, their early civilisation, 490  
 Turnus and Lavinia, what they personify, 75  
 Twelve tables, law of the, 136  
 Tyrrhenians, Etruscans, or Tusci, 71, 93

## U.

ULPHILAS, inventor of the alphabet of the Visigoths, 782  
 Ulpian, Domitius, the jurist, 747  
 Umbrians, the, combine with the Samnites and Etruscans, 302  
 Usury at Rome, 227

## V.

VAE VICTIS, 224  
 Valens, a fanatic Arian, 781  
 Valentinian and Valens emperors, 781  
 — II., 782; strangled, 784  
 — III., 792  
*Valeria Horatia, lex*, 191  
 Valerian laws, 128  
 Valerian, accession of the emperor, 759; taken prisoner by Sapor, 759  
 Valerius, origin of his name of Poplicola, 128  
 — Antias, Q., 26  
 —, L., defeated and killed, 314  
 —, M., dictator, 144  
 — Corvus, M., 247, 277; origin of his surname, 247; his character, ib.  
 Valla, the first to prove the impossibilities of Livy's narrative, 2  
 Vandals in Africa, 793  
 Varius, L., 666; his tragedy of *Thyestes*, 668  
 —, Q., law of, 544  
 Varus, Quintilius, 678; des-

- troyed with three legions by the Germans, 679; effect of the disaster on Augustus, *ib.*  
 Veientine war, 158, 206  
 Veii, its siege a parallel to the Trojan war, 208; taken by a *cuniculus*, 210; proposal to remove from Rome to, 212; its conquest one of the most decisive events in history, *ib.*  
 Velinus, draining of Lake, 307  
 Velleius Paterculus, the only writer of Roman history independent of Livy, 44  
 Veneti, the, conquered, 606  
*Veni, vidi, vici*, 619  
 Venice, foundation of, 795  
 Vercingetorix, 607; his surrender, 608; one of the greatest men of antiquity, *ib.*; put to death by Caesar, *ib.*  
 Vernacular languages, extinction of, 94  
 Veseris, battle of, 254  
 Vespasianus, T. Flavius, the emperor, restorer of the state, 704; his character, 709  
*Vici*, subdivisions of the city tribes, 111  
 Vicus sceleratus, 121  
*Videant consules*, &c., the formula, 167  
 Vindex, C. Julius, 701  
 Virgil vindicated, 15; his eclogues not a successful imitation of the idyls of Theocritus, 661; the *Aeneid*, 662; his real calling lyric poetry, *ib.*  
 Virginia, story of, 185  
 Virginius's accusation against Appius Claudius, 189  
 Viriathus, war of, 488; maintains himself for eight years against the Romans, *ib.*; murdered, 489  
 Visigoths, their peculiar national civilisation, 782; governed, not by kings, but two judges, 783  
 Vitellius, A., the emperor, 703; murder of, 706  
*Voconia, lex*, 467  
 Volero Publilius resists the patricians, 161  
 Volscians identical with the Auruncans, 137; and Aequians, wars with, 149; subjugation of, 203  
 Voltumna, festivals at the temple of, 206  
 Voting, Roman mode of, 103  
 Vulsinii, insurrection of, 98  
  
 W.  
 War chariots of the Gauls, 303  
 Western empire, end of the, 798  
 Will, right of making a, 181  
 Women as gladiators, 711  
  
 X.  
 XANTHIPPIUS appointed commander of the Carthaginian army, 346; his system of tactics, *ib.*  
 Xiphilinus, 48  
  
 Z.  
 ZAMA, battle of, 410  
 Zenobia, widow of Odenathus, 760; besieged by Aurelian at Palmyra, 763  
 Zonaras, 48

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